



The Millbrook Power (Gas Fired Power Station) Order

Applicants Comments on Bedford Borough Council's Local Impact Report – Submitted at Deadline 3

Planning Act 2008
The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

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Summary

- 1.1.1 The Applicant, Millbrook Power Limited, is applying to the Secretary of State (SoS) under the Planning Act 2008 (PA 2008) for development consent to construct, operate and maintain an Open Cycle Gas Turbine (OCGT) gas fired peaking power generating station, fuelled by natural gas with a rated electrical output of up to 299 Megawatts (MW) together with associated development of a gas connection and electrical connection (the Millbrook Power Project).
- 1.1.2 The Development Consent Order (DCO) Application for the Millbrook Power Project (the Project) was submitted by the Applicant to the SoS in October 2017. It was formally accepted to progress to examination in November 2017.
- 1.1.3 This document contains the Applicant's response to the Local Impact Report submitted to the ExA by Bedford Borough Council (BBC) at Deadline 2.

Applicants Comments on BBC Local Impact Report

LIR Reference	Summary of BBC Comment	Applicants Response
1.0 - Introduction	Provides an introduction to and purposes of the LIR.	The Applicant also assumes that references to "the Commission" are meant to be references to the "Secretary of State".
2.0 - Site Description and surroundings/Location	Provides a description of the site and wider setting of the Rookery.	The Applicant has no comments.
3.0 - Historical Background	Provides a background to the Marston Vale, including history of the brickmaking industry.	The Applicant notes the historical background of the area but has no comments.
4.0 - Relevant development plan policies	Outlines Relevant development plan policies, supplementary planning guidance or documents, development briefs or approved master plans and an appraisal of their relationship and relevance to the proposals	The Applicant notes the relevant development plan policies and how these relate to the Project. The Applicant confirms that these policies have been taken into consideration in preparing the DCO Application, including within the Planning Statement [APP-056] and Chapter 2 of the ES [APP-033].
4.2.1- Recent planning applications for major development in the vicinity of the proposal	Recent planning applications for major development in the vicinity of the proposal include: <ul style="list-style-type: none"> Broadmead Road, Stewartby (application reference: 97/01163/OUT) The Wixams (application reference: 99/01645/OUT) Fields Road, Wootton (application reference: 02/01013/OUT, 02/01322/OUT and 02/01445/OUT) The Brickworks Site (application reference: 08/01773/EIA) 	The Applicant notes the list of applications in the vicinity of the Project Site. All of these, barring the Brickworks Site, have been included within the list of cumulative developments for assessment presented in section 4.10 of the ES and taken forward for assessment in each of the topic chapters (6-15) [APP-033]. The Brickworks Site (application reference: 08/01773/EIA) was not included in the list of cumulative developments in the ES as the Applicant understood from BBC's website that the application had been withdrawn/disposed of in 2014. The

		Applicant refers to the Statement of Common Ground signed by BBC which confirms that the approach to cumulative assessment for each ES chapter is appropriate [REP2-009].
5.0 – Socio-economic and Community Matters	<p>The view of the Council and of the local councillors is that no objection is raised to the development on socio economic and community grounds.</p> <p>It is acknowledged that there would be jobs created during construction and the operation of the facility (between 25-122 at any given time) however it is recognised that due to the specialised nature of the construction of the facility many of the jobs that this stage may go to a ‘temporary’ workforce from elsewhere rather than local residents. Similarly, whilst some permanent jobs may go to local residents under 15 jobs would be created in total and not all would be taken up by those already living locally.</p>	The comments made by BBC are noted. A full assessment of socio-economic effects is presented in Chapter 14 of the ES [APP-033]. The S106 agreement, which is currently being finalised by the Applicant, will require the Applicant to submit a Local Employment Scheme to the relevant planning authorities for approval to ensure that employment opportunities and contracts for services are advertised locally.
6.1 - Landscape	<p>The view of the Council and of the local councillors is that no objection is raised to the development on landscape grounds.</p> <p>It must however be recognised that the approved, and under construction, Covanta RRF being built immediately adjacent to the Millbrook Site will be a significant feature in the landscape. The stack, in particular, will be visible from Stewartby village and the wider area. The scale and dimensions of that plant are far larger than this proposal and will have a far greater impact on the landscape</p>	The Applicant acknowledges the comments made by BBC. A cumulative landscape and visual impact assessment is presented in Chapter 11 of the ES [APP-033].
6.2 – Historic Features	The view of the Council and of the local councillors is that no objection is raised to the development on Heritage grounds.	The Applicant acknowledges the comments made by BBC.
7.1 – Local Transport Patterns	The view of the Council and of the local councillors is that no objection is raised to the development on Transport grounds.	The Applicant acknowledges the comments made by BBC.

	<p>The Council is satisfied that the levels of traffic generated by this development can be accommodated on the road network. It is also acknowledged that the levels of HGV and other traffic created by the proposed operations will not have a significant effect on the A421.</p> <p>All HGV traffic relating to the development must be kept out of the villages in particular Stewartby. No rat running should be permitted. A routing plan should be agreed with BBC by way of condition on any DCO granted.</p>	<p>As described in the TA [APP-046] no heavy construction traffic would be routed through Stewartby. Requirement 11 of Schedule 2 of the dDCO [REP2-015] sets out the need for a Construction Traffic Management Plan to be submitted and agreed with relevant planning authorities prior to commencement of the Project.</p>
7.2 - Site and Area Constraints	<p>Access to the site is potentially constrained by the need to cross the level crossing on Green Lane by Stewartby Halt however the level of vehicle movements which will be generated is predicted to be easily accommodated into the network.</p> <p>If the level crossing is out of operation for any reason, then the alternative access is Broadmead Lane which has weight limit restrictions for environmental reasons. The use of this road by HGV's serving the site is unlikely to be popular with local residents. The aforementioned requirement for a routing plan to be agreed with BBC is again important in this regard.</p>	<p>The Applicant refers to its response to section 7.1 above.</p>
8.0 - Biodiversity	<p>The view of the Council and of the local councillors is that no objection is raised to the development on Biodiversity grounds.</p>	<p>The Applicant acknowledges the comments made by BBC.</p>
9.0 - Air Quality and Local Temperature Inversions	<p>The view of the Council and of the local councillors is that no objection is raised to the development on Air Quality grounds based on the conclusions contained in the Air Quality section on the PIER documents which has identified the maximum predicted ground level concentrations from the realistic worst case scenario for a stack height of 32.5m as insignificant.</p>	<p>The Applicant acknowledges the comments made by BBC. The conclusions set out in the PIER documents are the same as those set out in the ES [APP-033].</p>
10.0 - Noise	<p>The view of the Council and of the local councillors is that no objection is raised to the development on noise grounds.</p>	<p>The Applicant acknowledges the comments made by BBC.</p>

	<p>HGVs accessing the site have to cross the level crossing and because of the uneven nature of the tracks will inevitably create a certain amount of clanging and banging. This will however be against the background of the HGV vehicle movements associated with Covanta RRF. Once the facility is constructed this will reduce to car movements which will not cause any significant disturbance.</p>	<p>As the speed of HGV's will be restricted over the level crossing, it is not anticipated that significant amounts of 'clanging' or 'banging' are anticipated.</p>
11.0 – Light Pollution	<p>The view of the Council and of the local councillors is that no objection is raised to the development on light pollution grounds.</p>	<p>The Applicant acknowledges the comments made by BBC.</p>
12.0 – Planning Gain	<p>As the site falls wholly within CBC with only the access junction in BBC no specific planning gain is being sought by BBC. Improvements would be undertaken to footpath/cycleway network and linkages with Country Park as a result of the Covanta RRF project which has been consented and there will be additional tree planting and improvements within CBC.</p>	<p>The Applicant acknowledges the comments made by BBC.</p>
13.1.7 – Provisions of the Development Consent Order	<p>The Order would also specify what permitted development rights will be enjoyed by the company. Whilst it is acknowledged that there needs to be some ability for the company to undertake maintenance and do some minor works without recourse to the Planning Authority it is felt that these powers should not be so extensive as to enable the company to undertake substantial works that would increase the size or height of the facility, vehicle movements to the facility, or the overall impact of the facility on the area without requiring additional permissions. To have very extensive permitted development rights would be unacceptable to the Council.</p>	<p>The Applicant's position is that the DCO does not contain any "<i>extensive permitted development rights</i>" as referred to by BBC.</p> <p>Only the works set out in Schedule 1 of the draft DCO [REP2-015] are authorised and pursuant to Article 3 and Requirement 2 of Schedule 2 of the draft DCO each numbered work must be situated within the numbered area shown on the works plans [APP-010].</p> <p>Table 2 in Requirement 2 of Schedule 2 of the draft DCO also sets out the maximum parameters, including the maximum size and height of the authorised development.</p> <p>The definition of "maintain" in Article 2 of the draft DCO restricts the activities that can be undertaken to those assessed in the environmental statement.</p>

		<p>In respect of Requirement 19, the Applicant refers to its response to written questions 1.13.2 and 1.13.3 [REP2-016].</p> <p>The Applicant also refers to paragraphs 3.51 and 3.52 of the Statement of Common Ground signed by BBC which confirms that the wording of the Articles and Requirements set out in the draft DCO is agreed [REP2-009].</p> <p>In order to make any changes to the DCO, the Applicant would need to submit an application for either a non-material amendment or a material amendment. In either case, BBC would be consulted as part of the application process.</p>
<p>14.2 – Requirements</p>	<p>The visual impact of the facility is considered to be one of the main impacts of the development on the local area. It is envisaged that there would be a requirement relating to the approval of facing materials, landscaping and other detailed matters which would be dealt with by CBC.</p> <p>It is envisaged that the DCO would cover a number of highway and access related matters, specifically requirements to improve and maintain the standard of Green Lane, however it is recognised that there may be some duplication with the requirements already placed on Covanta within their DCO area.</p> <p>The Travel Plan</p> <p>In order to seek to limit the number of employees using cars to travel to and from work, to reduce the impact on Green Lane and to promote public transport (such as the use of rail especially with the local station within walking distance of the facility), it is important that a Travel Plan is drawn up and implemented. As this will be a long term plan it can only be achieved through the DCO.</p>	<p>Requirement 2(4) of Schedule 2 of the dDCO [REP2-015] requires details of the layout, scale and external appearance to be submitted to and approved by the relevant planning authorities prior to commencement of the Project.</p> <p>Requirement 5 of Schedule 2 of the dDCO [REP2-015] requires either the Rookery South access road and numbered work 2B or numbered work 2A to be completed prior to commencement of the construction of numbered work 1.</p> <p>Requirement 16 of Schedule 2 of the dDCO [REP2-015] requires a construction Travel Plan to be submitted to and approved by the relevant planning authorities prior to commencement of the Project.</p> <p>The Applicant also refers to their response to section 7.1 above.</p>

	<p>Strategic Routing Plan</p> <p>The routing plan would be in the DCO and will ensure that HGV's associated with the facility use the strategic highway to prevent rat running through villages. As discussed earlier in the LIR, a routing plan is required to be agreed with BBC and this should form a requirement of the DCO.</p> <p>Long Term Habitat Management</p> <p>There is a Low Level Restoration Scheme approved for both Rookery North and South Pits through the review of the old minerals permission. This provides for the ongoing ecological management of the pits up to 2024. However, it is important that this habitat management is ongoing and that local habitats are enhanced and species protected for the duration of the development. This can only be achieved through the DCO.</p> <p>The DCO is the mechanism through which any financial contributions will be administered. It is important that the process for allocating funds is clear and that there is a local input into the allocation of funds.</p>	<p>Requirement 3 of Schedule 2 of the dDCO [REP2-015] requires a landscape and ecological mitigation and management strategy (LEMMS) which must be substantially in accordance with the outline LEMMS (Revision 1) [REP2-004] to be submitted to and approved by CBC prior to commencement of the Project. The approved LEMMS must be carried out.</p> <p>The Applicant is unsure what is meant by financial contributions in this context. The DCO does not provide for administering any financial contributions relating to the discharge of Requirements. The Section 106 Agreement currently being negotiated does include a contribution to the Forest of Marston Vale Trust where the Marston Vale Planting cannot be accommodated within the Site.</p> <p>The Applicant's intention is to enter into a Planning Performance Agreement with BBC to provide financial contributions relating to the discharge of DCO Requirements.</p>
<p>15.0 – The Relative Merits of Social, Economic and Environmental Impacts of the Proposed Gas Fired Power Station</p>	<p>It is felt that there will be some limited positive impact on the local area in respect to the creation of jobs both during construction and the operation of the plant but that this would not offset the potential negative impacts the facility may well have on attracting new development to the area, on house prices and the ability to sell property and generally on the ongoing regeneration of the area from its industrial past to a greener cleaner future. This however has to be considered within the context and scale of the Covanta RRF plant which is in the process of being constructed immediately adjacent to the Millbrook Site.</p>	<p>The likely significant effects of the Project on the environment and socio-economics are described in the ES [APP-033]. No likely significant impacts are anticipated as a result of the construction or operation of the Project either in isolation or cumulatively. Minor positive impacts are anticipated as a result of local employment opportunities and increased spending in the local area.</p>

	<p>In terms of environmental matters there would be some positive benefits in respect to the upgrading of footpaths to dual use paths for facilitate cycling (which would also have social benefit), an extension to the habitat management in Rookery Pits and additional tree planting.</p> <p>Overall BBC does not raise any objection to the development.</p>	<p>Section 7.4 of the Planning Statement [APP- 056] provides a summary of the likely benefits and disbenefits of the Project and concludes that although there would be some disbenefits, there would also be a number of benefits both to the local community and national energy security.</p> <p>Commitments relating to habitat management and tree planting are set out in the outline LEMMS (see response to section 14.2 above).</p> <p>The upgrade of footpaths to dual use paths is authorised as part of the Covanta DCO.</p> <p>The Applicant also refers to the signed Statement of Common Ground with BBC [REP2-009] which confirms agreement on the environmental and socio-economic effects.</p>
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