

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2018/1179/FULL
Location: Ocado Ltd Gypsy Moth Avenue Hatfield AL10 9BD
Proposal: Installation of a Compressed Natural Gas (CNG) Refuelling Station
Officer: Ms Lucy Hale

Recommendation: Granted

6/2018/1179/FULL

Context	
Site and Application description	<p>The application site is located to the west of Gypsy Moth Avenue and is occupied by online grocery company Ocado and is referred to as the Customer Fulfilment Centre (CFC) which is located in Hatfield Business Park. The Business Park is designated as an Employment Area (EA6) within the Welwyn Hatfield District Plan 2005 and contains a mix of buildings in commercial or industrial use, covering approximately 85ha. The site has two access points from Gypsy Moth Avenue which serve a staff car park and a service goods vehicles area. The site has an area of 8.8ha and the main building has a floor space of 27,406sqm. The site comprises a large commercial building with parking areas for staff and delivery vehicles.</p> <p>The application seeks planning permission for a Compressed Natural Gas (CNG) Refuelling Station on part of the existing site of Ocado and which consist of a concrete areas in which can serve additional car parking for up to 15 vans. The proposed site covers an area of approximately 793sqm and comprises the triangular section of the north west part of the site</p> <p>The station would consist of the following infrastructure and associated works:</p> <ul style="list-style-type: none"> - Up to 2 Compressors and Housings (20 foot container) - Up to 8 CNG storage cylinder racks – total up to 16m³ in volume - Two CNG dispensers for refuelling the gas vehicles - Associated gas pipework and electrical cabling - New gas meter kiosk, underground gas main to the station and power feed running underground. - Gas main pipe will also rise up into the compound and feed into the compressor <p>The development proposal is for the installation and operation of a CNG Refuelling Station. The CNG Refuelling Station will provide the necessary infrastructure for Ocado to refuel new CNG powered vehicles and facilitate a shift from diesel powered HGVs to cleaner gas powered HGVs. These new gas powered vehicles will reduce NO_x by 72% and particulates by 97%, both of which are significant contributors to respiratory disease. The purpose of the proposal is therefore to provide a cleaner fuel for Heavy Goods Vehicles (HGVs) operated by Ocado from this Hatfield CFC.</p>

	<p>Each compressor housing is divided into two internal compartments and will contain the station controls and electrical connections in one end with the gas compressor in the larger main compartment. This compressor will take gas from the mains and compress it up to 250bar for storage in the CNG storage cylinder packs. There will be up to eight CNG storage cylinder packs which hold the CNG at 250bar for dispensing into the HGVs. There will be two CNG dispensers for refuelling the gas powered vehicles. These will fill the HGVs with CNG at 200bar pressure. There will be a Fuel Management Unit that will control the CNG dispenser.</p> <p>The CNG Refuelling Station will initially provide fuel for 30 CNG powered articulated HGVs. These new vehicles will replace 30 diesel powered HGVs currently operating from the CFC. The CFC uses 65 HGVs in total and it is currently planned that the remaining 35 diesel powered trucks will be replaced through 2019 and 2020 so that the CFC runs HGVs entirely on gas.</p>
<p>Constraints (as defined within WHDP 2005)</p>	<p>EMPL - EA6 (Hatfield Business Park) PAR - PARISH (HATFIELD) Wards - Hatfield Villages HAT - Hatfield Aerodrome Landscape Character Area (De Havilland Plain)</p>
<p>Relevant planning history</p>	<p>Pre-application Number: 6/2018/0377/PA Decision: Granted Decision Date: 23 April 2018 Proposal: Pre-application advice for the construction of a CNG refuelling Station for HGVs and vans</p> <p>Application Number: 6/2017/2761/FULL Decision: Granted Decision Date: 25 January 2018 Proposal: Erection of replacement fence</p> <p>Application Number: 6/2016/1592/MAJ Decision: Granted Decision Date: 21 December 2016 Proposal: Erection of two storey, 18 bay, modular building following the removal of car park canopy</p> <p>Application Number: S6/2006/1491/FP Decision: Granted Decision Date: 25 January 2007 Proposal: Change of use of land to form hardstanding and installation of lighting to rear of yard</p> <p>Application Number: S6/2000/1307/DE Decision: Granted Decision Date: 12 January 2001 Proposal: Erection of a distribution building (Class B8), together with associated parking, service yards and landscaping</p> <p>Application Number: S6/1999/1064/OP Decision: Approval Subject to s106 Decision Date: 29 December 2000</p>

	Proposal: Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within use class B1, B2, B8 and sui generis use; housing; new university campus (use class D1 and D2) to include replacement De Havilland sports and social club and associated playing fields; two hotels; primary school and associated facilities; district centre; works of conversion to enable recreation use of existing listed hangar; aviation heritage centre together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of Ellenbrook		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 18 May 2018 Site Notice Expiry Date: 8 June 2018		
Summary of neighbour responses	None		
Consultees and responses	<p>Public Health and Protection – No objection</p> <p>Hertfordshire County Council Highways – No objection</p> <p>Hatfield Town Council – The Town Council would prefer to see a noise impact assessment before making a full comment on this application. The potential to impact on local resident’s lives should not be underestimated. What will the health impact be on local residents? Has an Environmental Impact Assessment been carried out? We are however pleased that more environmentally friendly fuels are being looked at.</p> <p>Cadent Gas Limited – No response</p>		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: SD1 Sustainable Development RA10 Landscape Regions and Character Areas EMP1 Employment Areas EMP2 Acceptable Uses in Employment Areas R18 Air Quality R19 Noise Emerging Local Plan Proposed Submission 2016 (Key Policies): SP1 Delivering Sustainable Development SP4 Travel and Transport SP9 Place Making and High Quality Design SADM2 Highway Network and Safety SADM10 Employment Development SADM11 Amenity and Layout SADM12 Parking, Servicing and Refuse			

Main Issues	
<p>Principle of Development</p>	<p>Paragraph 93 of the NPPF outlines that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. Policy SD1 of the Welwyn Hatfield District Plan 2005 and Policy SP1 of the Draft Local Plan Proposed Submission 2016 outline that the council will take a positive approach when considering development proposals that reflect the presumption in favour of sustainable development contained in the NPPF.</p> <p>The use of CNG is considered to be one of the cleanest burning transportation fuels available producing the fewest emissions of all other fuels. The proposal will therefore contribute to the reduction of carbon emission by enabling a transition from diesel vehicles to the provision of a low carbon transport fuel vehicles, which will contribute towards meeting climate change targets across the borough. The proposed development is therefore considered to be compliant with national and local plan policies in regard to development in presumption in favour of sustainable development.</p> <p>Policy SADM10 Employment Development of the Draft Local Plan Proposed Submission 2016 states that “petrol filling stations” will only be permitted in designated employment areas. Planning permission will be granted, subject to other policies in this plan, where:</p> <ul style="list-style-type: none"> vi. It would have adequate servicing facilities; and vii. It would not have an adverse impact on the provision of employment land and jobs in terms of the cumulative impact of similar uses in the locality. <p>A post-submission modification of this policy has been made with the effect that it now applies to “refuelling stations” as opposed to “petrol filling stations”. It is therefore a material consideration in this instance. The proposed site forms part of the existing Ocado CFC site and the proposed station will provide fuel for vehicles operating at Ocado.</p> <p>The proposal is considered to be in accordance with the aims and objectives of emerging Policy SADM10 and is acceptable in principle subject to full and detailed consideration of the other policies in the following sections of the report.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>The site is located in EA6 Hatfield Business Park. The existing site consists of an area of concrete for additional car parking as part of use of the site as a distribution depot.</p> <p>The compressor housing and gas storage are to be located to the east of the site. The equipment would be surrounded by a 2 m high compound security palisade fence, in keeping with the existing fencing surrounding the site. The proposed CNG fuel dispensers are located to the west of the site. The compressor housing and storage cylinders are to be 2.6m and 2.85m tall. The equipment above ground would not be significant in scale within the context of the wider Ocado site. The station equipment is proposed to be painted white. There is existing lighting on the site for the proposed station, two new LED lights are to be installed at the dispensers directed downwards to assist with the users of the refuelling dispensers in the winter months.</p>

	<p>The siting and scale of the equipment and structures, would not appear intrusive or out of keeping within the context of the Business Park. The proposed development is not considered to result in harm to the visual amenity or appearance of this area.</p>
<p>Impact on neighbours</p>	<p>The proposed site is located within the existing Ocado CFC site within Hatfield Business Park. There is a car park and associated commercial buildings to the north, distribution warehouses and car parks to the east and west of the site, and immediately to the south forms the Ocado site. Given the commercial nature of the immediate neighbouring sites, it is not considered that the proposal would result in any adverse impacts.</p> <p>The nearest residential properties are approximately 289 metres to the south of the proposed site and another residential area approximately 380 metres to the north east. A noise impact assessment has been submitted which shows that the noise from the proposed works associated with the refuelling station would be very unlikely to cause disturbance at the nearest residential properties and therefore the Public Health and Protection department of the council raised no objections.</p>
<p>Access, car parking and highway considerations</p>	<p><u>Highway safety and capacity</u></p> <p>Hertfordshire County Council as the Highway Authority were consulted. No new access or amended access is required to facilitate the development. A Swept Path shows the existing routes in the site as fully accessible by vehicles serving the site, and shall not interfere with the existing site operations</p> <p>The proposal would serve the existing vehicle fleet and there is no reason to consider that the proposals would give rise to an increase in movements associated with the general operation of the site. Trips associated with the site are already featured in daily flows locally. The proposal is not considered to have any material effect on the operation of the site access, nor result in an appreciable change in vehicle trips to and from the site.</p> <p>Furthermore, the CNG Station will be connected to the gas mains, so there will be no road delivery of gas required. No vehicle movements for delivery of gas or combustible materials by road need to be accounted for.</p> <p><u>Car parking provision</u></p> <p>The CNG Refuelling Station will provide fuel for 30 CNG powered articulated HGVs. These new vehicles will replace 30 diesel powered HGVs currently operating from the CFC. As a result there would be no increase in vehicle numbers.</p> <p>It is noted that the proposed site is an existing concrete yard area which can provide 15 spaces for vans. The proposed area was not originally part of the main site for Ocado. An application was granted under reference S6/2006/1491/FP for the change of use of the strip of land to form hardstanding and to provide operational parking capacity for the site for the use of HGVs. A planning condition was imposed to ensure the land would not be used for general car parking concerned with the normal business operations for the site and would be used as operational services such as turning, parking loading and unloading or commercial vehicles. Therefore, this area is not included in the existing car parking provision of the site and as a</p>

	<p>result there would be no changes to parking provision.</p> <p>The site has an Operators Licence from the Driver and Vehicle Standard Agency allowing Ocado to have 140 trailers and 80 HGVs based at the site. During normal operation these are either in use and on the road networks or at the site ready for unloading/loading. As the site is a 24/7 operation, it is noted the only day all of the vehicles are parked at the site is Christmas Day. It was noted following a site visit that the site benefits from ample car parking and service areas and therefore it is not considered that the loss of this area would result in an impact on the servicing and arrangements at the site.</p>
Any other considerations	<p><u>Gas main</u> A new gas main is proposed to be installed as part of the proposal. The local gas network operator Cadent Gas were consulted as part of the application but did not respond. These works would be subject to separate discussions with Cadent Gas.</p> <p><u>Surface water drainage and contamination</u> The site is not in a flood risk zone. The proposed works are of small scale and are to be sited on existing hard surface with drainage already in place. The development does not involve digging down to natural ground and as such no concerns are raised in regard to flood risk or contamination.</p>
Conclusion	
<p>The proposed development would not have any adverse impact upon the character and appearance of the locality and would not affect the residential amenity of any neighbouring occupiers. Furthermore, the proposed development is not considered to have an impact on highway safety and capacity. The proposal is considered to be acceptable and in accordance with Policies D1, D2, SD1 RA10, EMP1, EMP2, R18 and R19 of the Welwyn Hatfield District Plan 2005, Policies SP1, SP4 SP9, SADM2, SADM10, SADM11 and SADM12 of the Emerging Draft Local Plan Proposed Submission 2016, the Supplementary Design Guidance 2005 and the relevant parts of the National Planning Policy Framework 2012.</p>	

DRAWING NUMBERS

The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
GR1043/01/0 2	0	Ownership Boundary and Planning Application Boundary	4 May 2018
GR1043/01/0 4	0	Swept Path Analysis	4 May 2018
GR1043/01/0 5	0	Proposed Services	4 May 2018
GR1043/01/0 3	0	Proposed General Arrangement	4 May 2018
GR1043/01/0 6	0	Proposed Compressor Housing Elevations	4 May 2018
GR1043/01/0 7	0	Proposed Gas Cylinder Storage Module Elevations	4 May 2018

GR1043/01/0 8	0	Proposed Typical CNG Dispenser Elevations	4 May 2018
G31043/01/1 0	0	Proposed Gas Kiosk Elevations	4 May 2018
GR1043/01/0 1	0	Site Location Plan	4 May 2018

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:
8.00am and 6.00pm on Mondays to Fridays
8.00am and 1.00pm Saturdays
and at no time on Sundays and Bank Holidays

Determined By:

Mr Mark Peacock
3 July 2018