



planning | architecture | landscape

laurence associates

Helford House, May Court
Threemilestone Business Park
Truro, Cornwall, TR4 9LD
t: +44 (0) 1872 225 259

e: hello@laurenceassociates.co.uk
w: www.laurenceassociates.co.uk

PLANNING STATEMENT

**HAZARDOUS SUBSTANCES CONSENT APPLICATION FOR
THE STORAGE OF ULTRA LOW SULPHUR DIESEL FUEL**

INDIAN QUEENS POWER STATION, GAVERIGAN, ST DENNIS, ST AUSTELL PL26 8BY

**ON BEHALF OF
INDIAN QUEENS POWER LTD**

Our ref: 23229

January 2024

CONTENTS:

1. EXECUTIVE SUMMARY1

2. EXISTING SITE2

3. RELEVANT PLANNING HISTORY3

4. PROPOSED DEVELOPMENT.....4

5. PLANNING POLICY CONTEXT5

6. MATTERS FOR CONSIDERATION6

7. ASSESSMENT7

7.1 REQUIREMENTS OF REGULATION 57

7.2 REGULATION 6.....9

7.3 REGULATION 7.....10

8. CONCLUSION12

1. EXECUTIVE SUMMARY

- 1.1.1 Laurence Associates is retained by Indian Queens Power Ltd ('the applicant') to progress a Hazardous Substances Consent application for the storage of ultra-low Sulphur diesel fuel at Indian Queens Power Station, Gaverigan, St Dennis, St Austell, PL26 8BY.
- 1.1.2 The Design, Accessibility and Planning Appraisal has been prepared to support the planning application.
- 1.1.3 The proposal site is an existing power station that is commercial in scale. The site is located outside of any urban settlement/form and is surrounded almost entirely by agricultural fields and grass moorland.
- 1.1.4 It is considered that the proposal is robust in terms of the information it offers and is suitable in all respects. It is considered, as this report sets out, that the storage of diesel fuel should not amount to any issues/hazards. It should be acceptable to the competent COMAH authorities (HSE & EA) and approved by the Hazardous Substances Authority, being Cornwall Council. Indian Queens Power Ltd has already obtained its status as a lower tier COMAH site from the HSE/EA.

2. EXISTING SITE

- 2.1.1 IQPL is a Single Unit Open Cycle (Simple Cycle) Gas Turbine Power Plant which was commissioned in December 1996. The gas turbine is a GE Frame 9E unit driving an air-cooled generator through a bespoke SSS clutch which also allows the plant to operate as a synchronous compensator to provide voltage stability and support without the turbine when required. The turbine is oil fired and is currently using ultra-low Sulphur diesel fuel oil.
- 2.1.2 The unit is designed to operate as a peak power facility located at the end of the National Grid 400 kV transmission system for Cornwall and the South West of England. The plant is also designed to provide voltage stability, support and other important services to National Grid as required.
- 2.1.3 The plant has seen reduced utilisation for power generation in recent years. Voltage stability and support services (no fuel consumption) have been on the increase since early 2020, culminating in more than 7000 hours of synchronous compensation operation in 2023 alone. This trend of IQPL primarily being used as a synchronous compensator looks set to continue for the foreseeable future of the site.
- 2.1.4 The site for the proposed new fuel tanks is located within the current site boundary at Indian Queens Power Station. The existing power station is approximately 165m long by 80m wide and includes an array of large electro-mechanical plant and equipment along with associated infrastructure and buildings. The existing site is an integral part of the electrical power generation and transmission systems that exist within the county and the wider South West generally, therefore it is considered to be a highly important site for the local area and for National Grid.

3. RELEVANT PLANNING HISTORY

3.1.1 A search of Cornwall Council's online planning register reveals the following relevant planning history for the site:

- 08/00894 – Hazardous Materials – Hazardous substance consent for storage of sulphur diesel or kerosene – Approved/Granted.

4. PROPOSED DEVELOPMENT

4.1.1 The proposed development relates to the addition of two diesel fuel tanks that have been introduced to the northeast of the existing site. Beyond this, the proposal also seeks to regularise existing capacities for each fuel tank on site.

4.1.2 It should be first made clear that the site has previous Hazardous substance consent. This was approved under application number 08/00894 by the former Restormel Borough Council. This was for the 'storage of sulphur diesel or kerosene'. This covers all tanks on site, other than the two new diesel fuel tanks that now form part of the Power station site.

4.1.3 The existing/proposed capacities are set out within the accompanying form but are set out below also:

- Main Fuel Tank A = 1250m³ – (Used to top up fuel tanks 1 or 2)
- Main Fuel Tank B = 1250m³ – (Used to top up fuel tanks 1 or 2)
- Main Fuel Tank 1 = 1000m³ – (Fuel supply to the Gas Turbine)
- Main Fuel Tank 2 = 1000m³ – (Fuel supply to the Gas Turbine)
- Black Start Diesel Generator 1 Fuel Tank = 50m³
- Black Start Diesel Generator 2 Fuel Tank = 50m³
- Black Start Diesel Generator 3 Fuel Tank = 50m³
- Emergency Diesel Generator Fuel Tank = 11m³

4.1.4 The locations of the fuel tanks and generators on site are clearly indicated on the submitted site plan '20414-PL-00-02'.

5. PLANNING POLICY CONTEXT

- 5.1.1 Regulation 5 of the Planning (Hazardous Substances) Regulations 2015 sets out that subject to paragraph (2) and regulation 23 (application of the Act to hazardous substances authorities), which do not apply in this case. An application for hazardous substances consent must, amongst other things, be made to the hazardous substance's authority.
- 5.1.2 Beyond this, regulation 5 sets out that relevant submissions should include applicant details (b), a site location (c), site details (d) and for a scheme to be accompanied by notices and certificates.
- 5.1.3 This report sets out how the proposal complies with this detail and how sufficient detail has been submitted to satisfy the COMAH (Control of Major Accident Hazard) competent authority. For most cases they are the Health and Safety Executive and Environment Agency, acting jointly and for nuclear sites, the Office of Nuclear Regulation and the Environment Agency, acting jointly.
- 5.1.4 COMAH advise hazardous substances authorities, in this case Cornwall Council, on the nature and severity of the risk to persons in the vicinity and the local environment arising from the presence of a hazardous substance at an establishment.
- 5.1.5 This submission seeks to demonstrate that the siting of diesel tanks on this site is safe and in the event of an accident, includes robust safety measures.

6. MATTERS FOR CONSIDERATION

Amount

- 6.1.2 The proposal seeks the consent for two new main diesel fuel tanks, four new independent diesel generator fuel tanks and the re-issuing of a previous HSC to match existing arrangements.

Layout

- 6.1.3 As presented by the submitted Plans, the proposal shall include a logical and formalised layout on site. The two new main Fuel tanks are positioned to the North East of the Power station and the other four generator fuel tanks are positioned to the South East & South West of the Power Station.

Scale

- 6.1.4 The scale of the proposal includes two new fuel tanks A and B with a capacity of 1250m³ each. Existing fuel tanks No.1 and No.2 with a capacity of 1000m³ each are included within the application, as well Black Start Diesel generators No.1, No.2 and No.3, with independent fuel tanks of 50m³ capacity each. Finally, an emergency Diesel generator exists with an independent fuel tank capacity of 11m³.

Design

- 6.1.5 The fuel tanks and generators included are simple in terms of their proportions, appearance and materiality, they are considered fit for purpose and suited to their needs.

Access

- 6.1.6 The site benefits from two existing emergency access/entrance gates at opposite corners of the site and a new main entrance gate in between them to the North West of the site. All three access points are clearly indicated on the submitted site plan '20414-PL-00-02'.

7. ASSESSMENT

7.1 REQUIREMENTS OF REGULATION 5

7.1.1 In assessing the requirements of regulation 5 of the Planning (Hazardous Substances) Regulations 2015, it is considered the submission has complied with all aspects. This is shown below, with each requirement set out and responded to in turn:

7.1.2 Subject to paragraph (2) and regulation 23 (application of the Act to hazardous substances authorities), an application for hazardous substances consent must:

- (a) be made to the hazardous substances authority;

This submission is proof of application to the hazardous substances authority, being Cornwall Council.

- (b) include the name and address of the applicant;

This has been provided within the accompanying HSC form.

- (c) include a site map and a substance location plan;

The site details and layout, as well as its location, are clearly shown within the submitted plans for this application, 20414-PL-00-02 & 20414-PL-00-01.

- (d) include details of—

- (i) the location of the land to which the application relates;

This is shown on 20414-PL-00-01. The site can clearly be seen from aerials also.

- (ii) the person in control of the land to which the application relates;

This is Indian Queens Power Ltd.

- (iii) each hazardous substance for which consent is sought (“relevant substance”), including the maximum quantity of each relevant substance proposed to be present;

This is set out within the submitted HSC form.

- (iv) the main activities carried out or proposed to be carried out on the land to which the application relates;

This is set out within the submitted HSC form and is made clear by the site address. The site functions as a Power station and serves power/energy to the local and wider area. The proposal is in aid of continuing this service.

- (v) how and where each relevant substance is to be kept and used;

This is set out within the submitted HSC form and locations of each fuel tank/generator is detailed on 20414-PL-00-02. The substances/fuel is to be used in association with the existing Power station.

- (vi) how each relevant substance is proposed to be transported to and from the land to which the application relates;

The substance/s is/are already in situ.

- (vii) the vicinity of the land to which the application relates, where such details are relevant to the risks or consequences of a major accident; and

The area surrounding the site is detailed on 20414-PL-00-01 and visible on aerial mapping. A Major Accident Prevention Policy (MAPP) has been submitted as part of this application to detail the location and relevant risks to surrounding land.

- (viii) the measures taken or proposed to be taken to limit the consequences of a major accident; and

As expressed above, A Major Accident Prevention Policy (MAPP) has been included in this submission which robustly details how the site will limit risk of major accidents and what response will be made if this occurs.

- (e) be accompanied by the notices and certificates required by regulations 6 and 7.

This is set out in the section below.

- 7.1.3 In all, it is considered the submission is detailed and satisfies the requirement set out in Regulation 5.

7.2 REGULATION 6

- 7.2.1 Regulation 6 (Publication of Notices of applications) of The Planning (Hazardous Substances) Regulations 2015 sets out the following:

- (1) *Before making an application for hazardous substances consent to the hazardous substances authority, the applicant must, during the 21-day period immediately preceding the application—*
 - (a) *inform the public by notice published in a local newspaper circulating in the locality in which the land to which the application relates is situated, or by other appropriate means, including electronic media, of the following matters—*
 - (i) *a description of the proposal and the address or location of the land to which the application relates;*
 - (ii) *where applicable, the fact that the proposal is, or is part of, a project that is subject to a national or transboundary environmental impact assessment or to consultations between member States in accordance with Article 14(3) of the Directive;*
 - (iii) *that the hazardous substances authority (from which relevant information can be obtained) will decide whether or not to grant consent, and if to grant, will decide on what conditions to grant;*
 - (iv) *that representations (including comments or questions) may be made to the hazardous substances authority;*
 - (v) *details of how such representations should be made and the time period for making representations, which must be not less than 21 days*

beginning with the day after the day on which an application under regulation 5 is sent to the hazardous substances authority;

- (vi) an indication of the times and places where, or means by which, relevant information will be made available; and*
- (b) subject to paragraphs (2) and (3), post a notice containing the information referred to in paragraph (a) on the land to which the application relates for not less than 7 days sited and displayed in such a way as to be easily legible without entering onto the land.*

7.2.2 In response to this, a notice has been made and sent to local newspapers (Cornish Guardian and West Briton) as required by (a). This was made 21 days prior to the submission of the Hazardous substances consent (as per (1)) and includes relevant details required by (i) to (vi). This is made clear by the screenshots of the notice in each newspaper which form part of the submission documents.

7.2.3 With respect to (b), the same notice has been posted next to the site and is clearly visible to the public, without the need to enter the site. Evidence of this notice is included within the submission documents.

7.3 REGULATION 7

7.3.1 Regulation 7 (Notification of applications to owners) of The Planning (Hazardous Substances) Regulations 2015 sets out:

- (1) An application for hazardous substances consent must not be entertained by the hazardous substances authority unless it is accompanied by whichever of certificates A to D set out in Form 2 is appropriate, signed by or on behalf of the applicant.*
- (2) The required notice referred to in certificates B and C of Form 2 must, in the case of an application for hazardous substances consent, be a notice given on Form 3 and must attach a copy of the notice required to be published under regulation 6(1)(a).*

7.3.2 To satisfy this requirement, the HSC form has been completed, with a Certificate A signed. No notice to other parties was therefore required.

8. CONCLUSION

- 8.1.1 This report has set out that the submission has complied with relevant requirements set out within Regulation 5, 6 and 7 and is a valid submission. The submission is considered to include robust information and detail to show where fuel tanks are positioned on site and what specifically is proposed for, with capacity limits, weights and detailed descriptions provided. The submission is also accompanied by an extensive Major Accident Prevention Policy document which provides greater detail on the site and how major accidents will be prevented or managed in the extremely unlikely event one occurs.
- 8.1.2 It is considered that this submission should be acceptable to the COMAH competent authority and following advice, duly approved by the Hazardous substances authority/Cornwall Council.