

OFFICERS REPORT

Application No: Y18/0290/SH

Location: Channel Tunnel Terminal Ashford Road Newington Folkestone Kent CT18 8XX

Proposal Request for Approval for the construction of an SVC (static VAP Compensator) balancer facility.

ASSESSMENT

Performance data:-

Date application valid: 23.02.2018

Applicable 8/13/16 week target date: 20.04.2018

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? N

If Yes, revised 8/13/16 week target date: n/a

Is the application being determined after 26 weeks without a PPA or a PEA? N

SITE VISIT

Carried out site visit on .

The site and proposals were assessed from the AONB escarpment.

SITE

The application site is located within the operational land of the Channel Tunnel Terminal site adjacent to the recently approved High Voltage convertor station (under construction). The location under consideration is within the existing electricity plant area.

HISTORY

The planning history for this site is extensive and relates to numerous requests for approval for all sorts of works directly related to the operation and running of the Channel Tunnel site.

PROPOSAL

Request for Approval for the construction of an SVC (static VAP Compensator) balancer facility.

The proposal involves the construction of a plant building (clad steel frame building containing electrical plant and measuring a maximum height of 8.8m) and an adjacent area of outside electrical plant. The overall site area is 85m by 26.5m and the proposed building has a footprint of about 25.7m by 18m. The building will be finished in RAL colours of grey shades.

The need for the proposed works is to control voltage and provide an optimised electrical supply for the Channel Tunnel trains. The system is necessary due to increased rail traffic within the tunnels.

CONSULTATIONS

Site Notice expire - 19.04.2018

Press Notice expire - 26.04.2018

Newington Parish Council - no reply

Folkestone Town Council - noted

REPRESENTATIONS

No neighbours consulted.

POLICIES

Channel Tunnel Act 1987 - only very limited issues to consider

APPRAISAL

Channel Tunnel Act 1987

Section 9 (1) of the above Act grants deemed planning permission under Part 111 of the Act of 1971 for the carrying out by the Concessionaires of such development as may be necessary or expedient for

a) The construction of their scheduled works within the limits of deviation for those works; and

b) The construction of the works, the provision of the facilities and the carrying out of the operations mentioned in section A of Part of schedule 5 to this Act within the limits of the land to be acquired for those purposes.

There are limitations to the works etc which must be related to and in connection with the movement through the tunnel system.

Section 9 (2) of the Act states that for the purpose of the Town and Country Planning General Permitted Development Order 1977 or any order replacing that order-

a) Any development for which planning permission is deemed by subsection (1) above to have been granted shall be treated as not being development of a class for which planning permission is granted by the Order, and

b) Any land which is the subject of a Concession lease shall be treated as operation land of the Concessionaires

The proposed works are all permanent works and fall within the operational land of Eurotunnel and comprise works which are required for/in connection with security matters related to movement through the tunnel system. Therefore, the proposed works for which the concessionaires are seeking approval fall within the scope of section 9 of the Act.

Schedule 3 of the Act sets out the planning permission and as set out above, it is considered the works are "authorised development" by paragraph 1.

Paragraph 2 requires that any authorised development shall be carried out in accordance with the scheme of operation consisting of the arrangements with respect to the matters mentioned in the left-hand column of the table. The LPA has very few grounds on which to refuse to approve the arrangements (these being set out in the right hand column of the table)

A Scheme of Operations has been submitted with the approval request and in accordance with the above advice, the Local Planning Authority raises no objection to the scheme and hereby approves the arrangements.

Paragraph 3 requires works mentioned in the left-hand column shall be carried out in accordance with detailed plans and specifications as approved by the LPA. The details submitted for approval are:

Written Statement (Including description of works and photographs/CGI)

Request for Approval document under the Channel Tunnel Act (including Scheme of Operation)

FESK-8788 rev 1 - Block Plan and site plan

PK801628-01 rev A- Floor plan and elevations.

No objection is raised to the operation/works proposed as the design of the building is considered appropriate given its purpose and within its setting and given the need for the proposed to the overall operational function of the Eurotunnel operation. The associated works are in keeping with the function they serve within the Eurotunnel complex. The works will not

be easily seen from public vantage points outside of the Eurotunnel site other than from public footpaths crossing the escarpment to the north of the site. From these footpaths the proposal will be seen to be within the existing electrical infrastructure at this part of the Eurotunnel compound and will not materially alter the existing views.

Having considered the works proposed as part of this request for approval, and having assessed the impacts in accordance with those allowed under the Channel Tunnel Act 1987, it is recommended that no objections are raised to the works and approval is granted.

RECOMMENDATION

In light of the above, it is considered that the submitted details are acceptable for the purpose they serve and as such are recommended to be approved.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Position: Date:

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision.

Name: Position: Date: