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## STRATEGIC AND TECHNICAL PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON MONDAY 4 MARCH 2024

**Present:** Cllrs Robin Cook (Chairman), John Worth (left the meeting at 11:25) (Vice-Chairman), Shane Bartlett (arrived 10:08), Dave Bolwell, Alex Brenton, Jean Dunseith (left the meeting at 11:25), Kelvin Clayton, Toni Coombs and David Tooke

**Apologies:** Cllrs Mary Penfold and Belinda Ridout

**Also present:** Cllr David Walsh (Portfolio Holder)

**Officers present (for all or part of the meeting):**

Ann Collins (Area Manager – Western and Southern Team), Philip Crowther (Legal Business Partner - Regulatory), Anna Lee (Service Manager for Development Management and Enforcement), Vanessa Penny (Definitive Map Team Manager), Carol McKay (Senior Definitive Map Technical Officer), John Miles (Democratic Services Officer) and Matthew Pochin-Hawkes (Lead Project Officer)

**Officers present remotely (for all or part of the meeting):**

Steve Savage (Transport Development Liaison Manager) and Paul Eastwood (Engineer (Development Liaison))

21. **Minutes**

The minutes of the meeting held on 8 January 2024 were confirmed and signed.

22. **Declarations of Interest**

Cllrs Jean Dunseith and John Worth declared an interest in application no: P/FUL/2023/02446, as they were both predetermined and had elected to address the meeting as Ward Members.

23. **Application to divert Footpath 1, Lyme Regis**

Cllr Dunseith left the chamber during the presentation. Cllr Bartlett joined the meeting at 10:08. Neither took part in the debate and vote for this application.

Senior Definitive Map Technical Officer presented the application which had come to committee as part of the application was on Dorset Council land.

With the aid of a visual presentation members were shown details of the alterations that had been carried out together with pictures of the footpath from various points of view on the route.

All registered landowners affected by the proposal had been consulted and there were no objections received.

Members were advised that work on the footpath had been completed, however the definitive map can only be altered by legal order.

Proposed by Cllr Bolwell, seconded by Cllr Coombs

**Decision: That:**

- a. **The application to divert Footpath 1, Lyme Regis was accepted and an order made.**
- b. **The Order included provisions to modify the definitive map and statement to record the changes made as a consequence of the diversion.**
- c. **If the Order was unopposed and was considered to meet the legal tests for Order confirmation, it be confirmed by the Council.**
- d. **If the Order was opposed but the objections were not relevant to the legal tests, it be submitted to the Secretary of State for confirmation without further reference to Committee.**

24. **Application No: P/FUL/2023/02446 - Land south of Coldharbour, Chickerell, Dorset DT3 4BG**

Cllrs Dunseith and Worth had declared an interest in this item, they did not take part in the discussion and vote as they had elected to address the committee as ward members.

The Lead Project Officer presented the report for the installation of a Battery Energy Storage System (BESS) of up to 60MW, associated infrastructure and enclosing compound, together with access and landscaping works.

The Lead Project Officer outlined the proposal with the aid of a visual presentation, highlighting views from various boundaries, screening from trees and views from the public footpath. The proposed BESS was outside of the Defined Development Boundary (DDB) and would consist of two mirrored rows of five transformers and five pairs of battery units with five circular water tanks for a 40-year life span, at the end of which it was to be de-commissioned.

There was one access route to the site, this was supported by a turning space within the application site to enable effective firefighting and movement of vehicles.

As part of the presentation the committee were given information regarding the benefits of the energy output the site would contribute to the National Grid.

61 representations had been received, 57 of which were objections with many objectors concerned about fire risk.

The Key Planning Issues were explained, there were no objections from Highways Officers and from a Health & Safety Perspective the site was suitably distanced from neighbouring properties.

Oral representation in objection to the application was received from Dr John Fannon, Helen Hazell and John Perrott. They highlighted flaws in the application and the fire risks involved from a BESS, which could also cause a toxic cloud and possible water contamination. They considered the site inappropriate being close to residential properties and the priority should be safety of residents.

Cllr Brian Heatley spoke in support of the application and the need for renewable energy, whilst still appreciating the concerns of many residents.

Helen Donnelly, the agent on behalf of the applicant spoke in support of the application and emphasised the key benefits of the proposal.

Cllr Dunseith, Ward Member said that residents were worried and frightened as the BESS was too close to large population areas of Southill and Chickerell. She felt that the Health and Safety of residents was a valid material consideration for refusal.

Cllr Worth, Ward Member felt that it was the right solution in the wrong location, being outside DDB. It would impede the wildlife corridor and be contrary to the Chickerell Neighbourhood Plan. But more important was the safety aspect.

The Lead Project Officer responded to objectors concerns and Cllrs Dunseith and Worth left the Chamber at 11:25.

The committee members were invited to put forward their questions and debate the application.

In response to member questions regarding the likelihood, detection of and fighting a fire, committee were advised that there had been no independent clarification of Tesla being the safest storage batteries of its kind, the submission of a Battery Safety Management was conditioned to be submitted to provide details of infra-red CCTV monitoring and the water tanks had met the minimum of the Fire and Rescue Guidance.

There had been no response or concern from Southern Gas in relation to the site being inside the 150m buffer zone.

Although not linked members raised concerns with the access plan due to the potential of a second adjacent BESS site for which planning permission had been applied and the risk of a fire leaping from one site to the other together with the adequacy of the water supply.

Landscape Officers had considered the impact on the local landscape, material to be used for the water tanks was unknown but could be conditioned.

There were numerous member concerns regarding the number of important consultees that had not responded to the consultation, the access road, the

spacing of the battery units, supply of water and general risk to neighbouring properties and residents. This was the first application of this type that the Strategic & Technical Planning committee had considered and a lot of the information was based on guidance rather than legislation. Members felt that there were a lot of questions over safety that had not been allayed, they understood the need for resilience but were concerned that all they had was guidance, not hard and fast regulations. It was incumbent on the committee to get this right.

Adjournment 12:30 – 12:50

In accordance with procedural rule 8.1 a vote was taken, the committee agreed to exceed the 3 hour meeting time limit.

**Proposed by Cllr Coombs, seconded by Cllr Bartlett.**

**Decision: that the application be refused due to the reasons outlined in the appendix to these minutes.**

25. **Urgent items**

There were no urgent items.

26. **Exempt Business**

There was no exempt business.

**Appendix**

**Duration of meeting:** 10.00 am - 12.54 pm

**Chairman**

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## Strategic and Technical Planning Committee 4 March 2024 Decision List

**Application Reference:** P/FUL/2023/02446

**Application Site:** Land south of Coldharbour Chickerell Dorset DT3 4BG

**Proposal:** Installation of a Battery Energy Storage System of up to 60MW, associated infrastructure and enclosing compound, together with access and landscaping works.

**Recommendation:** Grant subject to planning conditions.

**Decision: REFUSE for the following reasons:**

Having regard to the provision of a singular vehicular access point to the site, lack of vehicular passing places, the layout of the site and lack of provision of sufficient water supply, drenchers and inlets for the fire service it is considered that the proposed development cannot demonstrate that it will be safe for the lifetime of the development having regard to fire risk and the proximity to residential development. Therefore, it would not comply with guidance from the National Fire Chiefs Council on Grid Scale Battery Energy Storage System planning (2023), Paragraph 163 and 191 of the NPPF (2023) and Policy ENV16 of the West Dorset, Weymouth and Portland Local Plan (2015).

Having regard to the potential risk for fire and that in its event defensive fire tackling measures would be taken, this would result in the discharge of a significant volume of water that would likely be contaminated to the detriment of groundwater and the natural environment contrary to Policy ENV9 of the West Dorset, Weymouth and Portland Local Plan (2015) and Paragraphs 180 and 191 of the NPPF (2023).

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