



# Strategic and Technical Planning Committee

**Date:** Monday, 29 July 2024  
**Time:** 10.00 am  
**Venue:** Council Chamber, County Hall, Dorchester, DT1 1XJ

## Members (Quorum 6 )

Duncan Sowry-House (Chair), Dave Bolwell (Vice-Chair), Belinda Bawden, Toni Coombs, Richard Crabb, Spencer Flower, Sherry Jespersen, David Northam, Belinda Ridout, Pete Roper, David Taylor and David Tooke

**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224710 - [joshua.kennedy@dorsetcouncil.gov.uk](mailto:joshua.kennedy@dorsetcouncil.gov.uk)

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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## Agenda

Item	Pages
<b>1. APOLOGIES</b>	
To receive any apologies for absence.	
<b>2. MINUTES</b>	3 - 8
To confirm the minutes of the meeting held on 4 March 2024.	
<b>3. DECLARATIONS OF INTEREST</b>	
To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

#### **4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS**

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am Thursday 25 July 2024.

#### **5. APPLICATION NO: P/FUL/2023/04657- EAST CHICKERELL COURT FARM, CHICKERELL, WEYMOUTH 9 - 92**

Development of a Battery Energy Storage System (BESS) of up to 400MW, connected directly to the National Grid, with associated infrastructure including access, drainage and landscaping.

#### **6. APPLICATION NO: P/FUL/2023/06578 - LAND TO THE NORTH WEST OF HOLT ROAD THREE LEGGED CROSS WIMBORNE 93 - 152**

The construction and installation of a Battery Storage Facility, associated infrastructure, landscaping, fencing, site access road, biodiversity net gain planting and cable corridors.

#### **7. URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

#### **8. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

**There are no exempt items scheduled for this meeting.**



## 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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# Agenda Item 5

<b>Application Number:</b>	P/FUL/2023/04657
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	East Chickerell Court Farm, Chickerell, Weymouth
<b>Proposal:</b>	Development of a Battery Energy Storage System (BESS) of up to 400MW, connected directly to the National Grid, with associated infrastructure including access, drainage and landscaping.
<b>Applicant name:</b>	Chickerell Storage Limited
<b>Case Officer:</b>	Matthew Pochin-Hawkes
<b>Ward Member(s):</b>	Cllr Dunseith & Cllr Worth (prior to May 2024 local elections) and Cllr Clifford & Cllr G Taylor (after May 2024 local elections)

## 1.0 Reason application is going to planning committee:

1.1 This application has been brought to Committee following a scheme of delegation consultation at the request of the Service Manager for Development Management and Enforcement.

## 2.0 Summary of recommendation:

**A)** Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant planning permission, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure:

- Permissive footpath routes through the site as shown on Landscape Plan ref. 21-LP-01 Rev B and publicly accessible recreational space within Fields 5 and 6 for the lifetime of the development.

And subject to the planning conditions detailed at Section 17 of this report.

**B)** Refuse permission for the reasons set out at Section 17 of this report if the agreement is not completed by 29 January 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

## 3.0 Reason for the recommendation:

3.1 As set out in Sections 16 and 17 of this report, in summary:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that decisions should apply a presumption in favour of sustainable development where it accords with an up-to-date development plan.

- Large scale battery storage is identified at a national level as playing an essential role in our energy transition and ability to fully decarbonise the electricity grid by 2035 and achieve net zero by 2050.
- The proposal would make a significant contribution towards tackling climate change through the provision of battery storage.
- The built development focuses on non-best and most versatile (BMV) agricultural land within the site. The limited temporary loss of BMV agricultural land is acceptable under Policy ENV8 given retention would be inconsistent with other policy and sustainability considerations.
- The proposed development would have limited and localised significant adverse landscape and visual impacts, would not harm the Dorset National Landscape (AONB) and would have a neutral effect on conserving and enhancing the natural beauty of the Dorset National Landscape (AONB). Appropriate mitigation would be secured via planning condition to minimise adverse impacts.
- Identified qualities of the designated area of Local Landscape Importance (LLLI) would be protected.
- Degradation of the Public Right of Way within the southern part of the site would be compensated for through the creation of a network of routes and publicly accessible informal recreational space within the site.
- Biodiversity net gains would be delivered on site.
- Adverse residential amenity impacts, including through increased noise and disturbance, would not cause significant adverse impacts.
- The site is sufficient distance from nearby residential properties.
- Matters of health and safety have been rigorously assessed via an independent peer review and would be appropriately managed and secured via planning conditions.
- The proposal is acceptable in respect of impacts on: highways; flood risk and drainage; archaeology; heritage; ground conditions; minerals safeguarding; and utilities.
- On balance, there are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable in principle.
Best and Most Versatile agricultural land	Limited temporary loss of BMV agricultural land is acceptable under Policy ENV8 given retention would be inconsistent with other policy and sustainability considerations.
Landscape visual impact	Significant adverse effects would be limited and localised to two viewpoints along footpath S16/21.

	Harm would reduce over time to a non-significant level 10 years after development when proposed landscaping establishes.
AONB	No harm to Dorset National Landscape (AONB) and neutral effect on the purposes of conserving and enhancing the natural beauty of the Dorset National Landscape.
Rights of way	Degradation of footpath S16/21 through development within its setting would be mitigated for through creation of new permissive routes through the site.
Noise and residential amenity	Noise from construction and operation would not have significant adverse effects on residential amenity. Increased noise levels would not significantly detract from the character or amenity of the area.
Biodiversity	Limited loss of some hedgerows within the site would be mitigated through new planting and the proposals would deliver a biodiversity net gain above policy requirements.
Highways	No objection from Highways Authority. Highway impacts would not be severe. No highway safety concerns.
Health and safety	Has been rigorously assessed via an independent peer review process and would be appropriately managed and secured via planning conditions.
Pollution	Acceptable subject to planning conditions.
Flood risk and drainage	Acceptable subject to planning conditions.
Other matters (archaeology, ground conditions, heritage, minerals safeguarding, overhead power lines/utilities, decommissioning, habitat regulations).	Acceptable subject to planning conditions.

## 5.0 Description of Site

5.1 The 29.7ha application site is located between Chickerell and the Southill area of Weymouth within the parish of Chickerell.

5.2 The site is 'F'-shaped. It consists of a group of six adjacent fields bounded to the north by Coldharbour Road, to the east by small holdings/horse paddocks, to the south by the National Grid Chickerell Electricity Substation, to the west by Chickerell Solar Farm and to the north west by industrial units.

5.3 For the purposes of this report, the fields are referred to as follows:

- Field 1: Northwestern field adjacent to Coldharbour Road.
- Field 2: Central-western field to the south of Field 1 and east of Chickerell Solar Farm.
- Field 3: Southern field to the south of Field 2 across which electricity pylons and Public Right of Way (PROW) S16/21 pass east to west.
- Field 4: Central-eastern field to the east of Field 2 with small holdings/horse paddocks to the north, east and south.
- Field 5: Eastern field to the south of Coldharbour and Field 6.
- Field 6: Northeastern field adjacent to Coldharbour Road.

5.4 Each field is separated by hedged field boundaries. Fields 1, 2, 3, 5 and 6 are in arable agricultural use and Field 4 is currently used for bird rearing. There are no buildings on the site. A block of existing woodland sits between Fields 2, 3 and 4. There are occasional trees within the field boundaries.

5.5 Electricity pylons run east to west through the south west corner of Field 2 and through Field 3 from Chickerell Substation. Electricity pylons also run north to south through Fields 5 and 6 and adjacent to Field 3.

5.6 Ground levels undulate across the site. The high point of the site is found in the north west of Field 1 at approximately 54mAOD. Levels generally fall from this high point to east (down to 25mAOD at the eastern boundary of Field 6) and to south (24mAOD close to the Chickerell Substation within Field 3). Fields 2 and 4 both slope downwards from north to south. Fields 5 and 6 are more undulating. Within Fields 5 and 6, existing ground levels generally fall from approximately 34-38mAOD along the northern boundary with Coldharbour to 24mAOD along the eastern boundary of Field 5 before rising to approximately 48mAOD in the south east corner of Field 6.

5.7 Vehicular access to the site is provided via an 'L' shaped access track from Coldharbour which serves other small holdings and paddocks in the surrounding area.

5.8 The closest residential properties to the site are located on the north side of Coldharbour, to the north approximately 8m from the boundary of the site. Properties are generally two storey detached with rear gardens to the north. The closest residential properties within Chickerell are approximately 230m from the south west of Field 3 (Lower Putton Lane) and the closest residential properties within Southill are approximately 450m of Field 4 (Grafton Avenue).

5.9 Owing to the surrounding infrastructure (Chickerell Substation, electricity pylons and solar farm), adjacent small holdings and industrial use, the site has an urban fringe character.

## **6.0 Description of Development**

6.1 In summary, the proposed Battery Energy Storage System (BESS) consists of three fenced compounds containing BESS containers, inverter buildings and transformers and a fenced electrical substation with an underground connection to the Chickerell sub-station together with extensive recontouring and areas of woodland planting and habitat creation and associated access and drainage works.

## 6.2 The elements of the proposal comprise:

- i. Revised vehicle access on Coldharbour to accommodate larger vehicles;
- ii. Groundworks to create four level platform areas (BESS Compounds 1-3 and the Customer Substation) and recontouring of the site through a cut and fill exercise by cutting into sloping ground and using the surplus spoil to create level platforms and screening. Ground levels are proposed to be increased to a maximum height of 54mAOD between BESS Compound 1 and Coldharbour and 50mAOD between BESS Compounds 1 and 2. Ground levels within Field 6 are also proposed to be recontoured to provide a maximum build-up of 42mAOD running east to west through the field. The platforms are proposed to be finished in a loose permeable gravel. Retaining walls constructed of interlocking sheet steel piles to the west of BESS Compound 1 and south east of BESS Compound 3 are proposed;
- iii. Installation of 600 BESS containers across the BESS compounds, each comprising a steel box of 6.35m length x 2.44m width x 2.6m height raised above 0.20m concrete foundations (total height 2.8m);
- iv. Installation of 30 steel framed inverter houses within the BESS compounds, each measuring 12.0m length x 9.5 width x 4.05m to ridge height / 3m to eaves. Inverter houses to be finished in green with folded metal roof with zinc finish;
- v. Installation of 60 transformers one either side of each inverter building, each measuring approximately 2.5m length x 2.5m width x 3.0m height;
- vi. Installation of six control room buildings, four within BESS Compound 1 and one each within BESS Compounds 2 and 3. Each measuring approximately 14m length x 3.9m width x 3.8m height raised above 0.2m concrete foundations (total height 4m);
- vii. Installation of four circular fire water tanks, two within BESS Compound 1 and one each within Bess Compounds 2 and 3. Each constructed of corrugated steel with a height of 3m and diameter of 5m;
- viii. Installation of two storage / welfare modules measuring approximately 12.2m length x 2.5m width x 2.6m height raised above 0.3m pads within BESS Compound 1;
- ix. CCTV cameras mounted on 4m high poles around the perimeters of the BESS Compounds;
- x. Internal vehicular access roads serving each BESS Compound and the customer substation.
- xi. Vehicle parking (10 spaces) within BESS Compound 1;
- xii. A customer substation, with internal equipment typically below 9m high but some elements up to 10.7m high;
- xiii. An underground electrical connection between the customer substation and Chickerell Substation (exact route to be determined);
- xiv. Boundary treatments, including a 2.4m high green weld mesh fence to the battery compounds and a 2.4m high galvanised steel palisade fence to the customer substation;

- xv. Extensive landscape and ecological works throughout the development, including: new hedgerow, woodland and tree planting; creation of a wildlife pond; bee bank; creation of green space with public access (Fields 5 and 6); creation of two new pedestrian accesses to the site from Coldharbour; creation of permissive paths across the site (east/west across the north of Fields 1 and 6 running parallel with Coldharbour, and north/south through the site from Coldharbour to existing Public Right of Way S16/21; and
- xvi. Sustainable urban drainage, including three attenuation ponds;

## 7.0 Relevant Planning History

7.1 Relevant planning history for the site comprises Environmental Impact Assessment screening and scoping responses together with pre-application advice in relation to the proposed development:

P/ESC/2022/08013 - Decision: EIA - Decision Date: 16/02/2023

*Request for EIA Screening Opinion on Proposed battery storage facility*

P/ESP/2023/01922 - Decision: RES - Decision Date: 04/05/2023

*EIA Scoping request*

P/PAP/2022/00826 - Decision: RES - Decision Date: 17/03/2023

*Pre-Application Advice: Proposed Battery energy storage facility with associated infrastructure and landscaping.*

P/PAP/2023/00256 - Decision: RES - Decision Date: 09/06/2023

*Pre-Application Advice: Proposed Battery energy storage facility with associated infrastructure and landscaping.*

7.2 Land to the east of the site is in a variety of agricultural and equestrian uses. The following planning history is relevant:

P/FUL/2023/01289 - Decision: GRA - Decision Date: 09/05/2023

*Erect all weather equestrian menage.*

P/FUL/2023/07422 - Decision: GRA - Decision Date: 22/05/2024

*Erect steel portal framed agricultural storage barn.*

7.3 Approximately 100m to the east of the site a planning application for a 60MW BESS was refused planning permission in March 2024 on fire risk and pollution grounds:

P/FUL/2023/02446 - Decision: REF - Decision Date: 04/03/2024

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

7.4 To the south west of the site a hybrid planning application for mixed use development of land to the east of Chickerell (Allocation CHIC2) is pending determination:

WD/D/20/002569 - DECISION: N/A Decision Date: N/A  
*Outline application for 393 dwellings with full details supplied in respect of 186 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), details of the internal spine road, landscaping, drainage, car parking, golf ball fencing of various heights up to 30m, public open space, associated works and diversion of three public right of ways and with all matters reserved in respect of 207 dwellings (Phases B and C) and a primary school, public open space, landscaping, drainage and associated works*

7.5 The adjacent solar farm to the west of the site was granted planning permission in 2014:

WD/D/14/002675 - Decision: GRA - Decision Date: 17/12/2014

*Construction of a Solar Photovoltaic Park with associated equipment including access track*

WD/D/15/000573 - Decision: GRA - Decision Date: 31/03/2015

*Amendment to planning permission WD/D/14/002675*

WD/D/20/001559 - Decision: GRA - Decision Date: 10/07/2020

*Amendment to planning permission WD/D/14/002675 - Provide additional security / CCTV coverage of the solar array.*

7.6 The industrial space between the solar farm and Coldharbour, to the north east of the site, was granted planning permission for change of use to storage in 2023:

P/FUL/2022/07710 - Decision: GRA - Decision Date: 11/09/2023

*Part full and part retrospective application for the change of use of land and buildings from agricultural use to storage (B8) and the siting of up to 43 storage containers.*

## 8.0 List of Constraints

Land Outside Defined Development Boundary

Land of Local Landscape Importance; Land north and east of Chickerell

Landscape Character Type; Ridge and Vale; South Dorset Ridge and Vale

Public Right of Way: Footpath S16/21; within the site

Public Right of Way: Footpath S16/20; 13m to the north of the site across Coldharbour

National Grid Overhead Line AXMINSTER - CHICKERELL - MANNINGTON  
Operating 400; Two lines crossing Fields 2 & 3 and Fields 5 & 6.

National Grid Substations (132kV & 400kV) and Grid Towers: within and adjacent to the site.

SGN - High pressure gas pipeline 150m or less from Regional High Pressure Pipelines (>7 bar); Under parts of Fields 3, 4 and 5.

Flood Zone 1

Risk of Surface Water Flooding Extent (1 in 30, 1 in 100 and 1 in 1000 year risks): southern and eastern parts of the site.

Risk of Groundwater Emergence; Groundwater levels are between 0.025m and 0.5m below the ground surface; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally; Southern part of site.

Existing ecological network and higher potential ecological network.

Chesil Beach & the Fleet RAMSAR and SAC; Distance: 1.9km.

Site of Special Scientific Interest (SSSI) impact risk zone.

Minerals and Waste Safeguarding Area (IDs: 6842, 7080, 7081 & 7082).

Minerals and Waste – Building Stone (IDs: 440, 1061, 1062 & 1069).

Office of Nuclear Regulation: within Portland 12km zone.

Radon: Class: Class 1: Less than 1%.

Contaminated Land: Within a small part of the site adjacent to existing woodland.

ONR portland\_12km\_zone - Distance: 0.

Dorset National Landscape Area of Outstanding Natural Beauty); 1.2km to the southwest and 2.8km to the north

## 9.0 Consultations

9.1 All consultee responses can be viewed in full on the website.

9.2 Over the course of determination there have been two formal rounds of consultation, one shortly after validation of the application during August/September 2023 and the second during January/February 2024. Iterative consultation with the

9.3 Environment Agency, Fire and Rescue Service and other parties has taken place beyond the formal consultation deadlines.



## **Consultees**

### **Natural England**

9.4 Natural England raises no objection subject to the Biodiversity Plan and Landscape Ecological Management Plan being certified by the Council's Natural Environment Team and secured via planning condition. The response also notes that the site lies within the setting of the Dorset AONB and recommends that advice is sort from the Dorset AONB Team.

9.5 Generic advice is provided in respect of: landscape impacts; best and most versatile agricultural land and soils; protected species; local sites and priority habitats and species; environmental gains; green infrastructure; access and recreation; and Public Rights of Way. In respect of agricultural land, the generic advise states that Local Planning Authorities are responsible for ensuring that they have sufficient detailed agricultural land classification information to apply NPPF policies.

**Historic England** – Confirm they have no comments to make on the application.

### **Environment Agency**

9.6 The EA has issued a series of consultation responses in relation to the proposals and updates provided by the applicant.

9.7 The final response (May 2024) confirms no objection subject to planning conditions related to: surface water drainage; an emergency pollution control method statement; verification plan; Construction Environmental Management Plan (CEMP).

9.8 The consultation provides advice to the Applicant that the developer should engage with the Fire and Rescue Service to develop a comprehensive risk management plan and an Emergency Response Plan as detailed within the National Fire Chiefs Council (NFCC) document "Grid Scale Battery Energy Storage System Planning – Guidance for FRS". The EA advises the applicant should make sure that there is an adequate supply of fire fighting water for the maximum expected duration of a fire, and that the expected fire fighting water volumes used by the fire service are reflected within the volumes use in supporting drainage strategy.

9.9 The EA response advises the Local Planning Authority to consult with its Environmental Protection Team in relation to air quality matters resulting from a potential battery fire. It recommends that where planning controls are necessary, to consider impacts on controlled waters and human health.

### **Health and Safety Executive**

9.10 HSE has been consulted due to a high-pressure gas main running through part of the site. Web App advice from the HSE confirms it does not advice against the granting of planning permission on safety grounds. Follow up correspondence from 9.11 HSE confirms HSE would treat battery storage as a workplace and therefore would not advice against the development.

**Dept for Environment, Food & Rural Affairs (DEFRA)** – No comments received.

**Active Travel England** – Confirm they have no comments to make on the application.

**National Planning Casework Unit** – No comments received.

### **Landscape Officer**

9.12 The Council's Senior Landscape Officer has provided two sets of comments on the proposals.

9.13 In summary, the first response of January 2024 concluded no objection subject to planning conditions. It advised that the proposals are compliant with national, local and neighbourhood planning policy relevant to landscape and visual considerations. The recommended conditions relate to the submission, approval, implementation and maintenance of detailed hard and soft landscape proposals.

9.14 Comments on the proposal noted:

1. Construction is likely to have significant adverse landscape and visual effects.
2. Adverse effects would be mitigated to a significant degree on completion of the proposed changes to the landform and the maturation of the extensive planting proposed, the later providing further mitigation in the medium to long term.
3. Submitted Accurate Visual Representations (AVRs) provide evidence that, on completion, the proposed earthworks would screen the development from viewpoints within the Dorset AONB to its north.
4. AVRs evidence that the growth of the extensive woodland planting would augment this screening and may have a minor beneficial effect on visual amenity on maturity by helping to screen existing development within the Granby Industrial Estate on the northern edge of Weymouth.
5. In views from the AONB to the west, the proposal would be seen in the context of existing industrial, residential and electrical infrastructure development and would play a relatively minor role. Cumulative effects would likely diminish over the lifetime of the development as the proposed woodland planting grows and matures.
6. The proposal would avoid or minimise adverse impacts on the Dorset AONB and its setting and would not harm its character, special qualities or natural beauty, including its characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks and sense of tranquillity and remoteness.
7. Landforming and planting would form significant permanent features that would physically alter the landform of the site and would introduce extensive areas of woodland in a ridgeline location in views from the north and east that are not, at present, a characteristic feature of the existing landscape or the landscape character type in which the site is located. However, the AVRs suggest that while the development may initially detract from local landscape character, the change

in character resulting from the proposed mitigatory measures and water features would not have a significant adverse impact on landscape character in the longer term.

8. The proposals would retain and protect existing trees and hedgerows which form locally distinctive landscape features, and it would provide visual enhancements for existing development of poor quality.
9. The proposed development would not significantly adversely affect the character or visual quality of the local landscape. The proposal includes appropriate measures to moderate the adverse effects of the development on the landscape.
10. No harm to green infrastructure or reasons for the sites inclusion within it due the retention of existing green infrastructure and its significant enhancement.
11. Mitigatory planting, while out of keeping with the landscape character, would contribute positively to the enhancement of local identify and distinctiveness. Introduction of woodland would represent a managed change that would not be of significant detriment to landscape character or visual amenity.
12. While the proposals would reduce the extent of the green wedge between Chickerell and Southhill/Radipole the extensive woodland planting and habitat creation proposed would enhance the north/south wildlife corridor from Radipole Lake SSSI.

9.15 The Senior Landscape Officer's second set of comments were issued following review of an Addendum to the landscape and visual section of the Environmental Statement (ES). The Officer confirmed agreement with the conclusion of the ES Addendum that "the changes that have been made to the proposed development do not result in a change in the magnitude of landscape and visual effects as assessed by the ES" and concluded no objection subject to conditions. The Officer notes Ash should not be planted due to the impact of Ash die back disease.

**Trees** – No comments received.

### **Dorset AONB Team**

9.16 The Dorset AONB Team advised in September 2023 that, overall, they are in agreement with the Senior Landscape Officer's comments that the proposed development would avoid or minimise adverse impacts on the Dorset AONB and its setting and that, as a consequence, it would not harm the character, special qualities or natural beauty of the Dorset AONB.

9.17 Visibility of the site is relatively limited, or over substantial distances. The landform alterations would screen the development in views from the north. Construction impacts would be discernible from the ANOB. However, it is foreseeable that operational effects on views from the north would be low and capable of mitigation through the proposed planting.

9.18 From the south and west, and taking account of the existing influence of housing, solar farm, Chickerell Substation, the development would not be considered to have a significant effect on key qualities and characteristics of the AONB.

9.19 Affected footpaths do not appear to afford notable views into the AONB.

9.20 Following amendments to the scheme, Dorset AONB Team advised in January 2024 that it had no further comments to make on the application,

### **Rights of Way Officer**

9.21 The Rights of Way Officer has no objection to the development but advises that the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route. The officer queries whether there are any plans for maintenance of the public open space.

### **Natural Environment Team**

9.22 Dorset Council's Natural Environment Team (NET) issued a Certificate of Approval certifying the Biodiversity Plan dated 24 April 2024. The response confirms the proposal adequately addresses impacts on biodiversity and impacts on designated wildlife sites, including European sites. The response recommends that Natural England is consulted in respect of potential impacts on SSSIs.

9.23 The NET also issued comments on the proposed public open space within the site and recommend that it is acceptable from an open space perspective. The response advises that the Dorset Council Public Open Space and Greenspaces Guidance Notes for Design and Management (2023) are referred to.

### **Highways**

9.24 Following a response to initial queries raised by the Highways Authority in September 2023, Highways confirmed no objection subject to planning conditions in January 2024 concluding the development cannot be thought to give rise to severe highway impacts (NPPF 115).

9.25 The response notes the Highways Authority accepts the Transport Statement as appropriate and robust. The proposed improvements to the site access and swept path analysis demonstrate the proposed revised access and visibility splays for the junction can be achieved.

9.26 Highways note that construction is expected to take 18 months and 12 two-way HGVs are expected during the peak of construction. Limited vehicle movements are expected during operation. The Construction Traffic Management Plan includes an agreed route for all vehicles to avoid residential development and use the strategic highway network wherever possible.

9.27 Planning conditions are recommended in respect of: vehicle access construction; access works; turning/manoeuvring and parking construction; construction traffic management plan; and wheel washing facilities.

**Highways Asset Manager** – No response received.

## **Flood Risk Management (Lead Local Flood Authority)**

9.28 The Council's Flood Risk Management Team (LLFA) has issued a series of consultation responses on the development as the surface water drainage has been refined as part of an iterative process in response to comments. Earlier comments raised queries in relation to discharge rates and whether the drainage system would be pumped.

9.29 The final consultation response confirms the LLFA has no objection subject to planning conditions related to details of a detailed surface water management scheme and details of its maintenance and management.

## **Environmental Protection**

9.30 Preliminary feedback from the Council's Environmental Health Officer (EHO) in September and October 2023 raised concern with the noise results being close to the level of indication of adverse impact at receptors A and B (Coldharbour and planned development to the west of the site). The EHO advised that they were not entirely satisfied, in the absence of any mitigation not already factored in, as to whether or not an adverse effect is likely to occur or whether or not a good standard of amenity can be achieved.

9.31 The EHO notes it is essential that the planning authority has a good understanding of, and evaluates carefully, the applicant's BS4142 calculations and interpretation. This is a significant development, and in terms of noise we have the 'blank canvas' opportunity at this stage to ensure that we achieve an appropriate level of confidence that noise impacts will be acceptable whilst not making unnecessarily onerous requirements of the applicant. My view is that, in terms of noise, the planning authority cannot yet consider that it has a sufficiently high level of confidence, especially given the very narrow BS4142 margins seen set in a context of the significant levels of uncertainty which apply in this case.

9.32 As a way forward, the EHO suggested either: a suitable scheme of mitigation for receptors A and B, with updated noise calculations to show margins which are more acceptable given the scale of uncertainties outlined above; or controls via planning condition to have actual noise levels measured (during representative operation) once the development is completed and operational, to empirically establish levels and resultant BS4142 calculations and assessment, and identify and implement any need for mitigation.

9.33 In January 2024, following submission of an amended Noise Impact Assessment, the EHO advised no objection subject to planning conditions in respect of noise mitigation measures and testing during operation of development.

**Building Control** – Confirm they have no comments to make on the application.

**Urban Design** – Confirm they have no comments to make on the application.

**Economic Development and Tourism** – No response received.

## **Conservation**

9.34 The proposals will not harm designated or non-designated heritage assets.

## **Environmental Assessment**

9.35 The Council's Environmental Assessment Team reviewed the Environmental Statement submitted with the application and conclude it constitutes an ES for the purposes of the EIA Regulations. Initial queries were raised in relation to whether the BESS cabinets are appropriately spaced and whether the site is hydrologically connected to Radipole Lake.

9.36 The subsequent response of January 2024 notes the proposed 3m separation distance between BESS containers is subject to a series of mitigation measures. The response also confirms that the updated Landscape and Ecological Management Plan (Rev D) notes BESS compounds have been designed to contain any potential pollution run off. With the mitigation in place the Environmental Assessment Team confirm it is satisfied that initial concerns about potential contamination of Radipole SSSI have been addressed.

## **Planning Policy**

9.37 The Planning Policy team identifies relevant policy and guidance and comments that battery energy storage systems are devices that enable energy to be stored at times of low demand and then released when the power is needed. This technology can help manage electricity generation by dealing with the peaks and troughs of energy supply and demand. In doing so, it can play an important role in supporting a transition from fossil fuels to energy from renewable sources, such as solar and wind, which generate electricity intermittently. So, while BESSs are not directly involved in the generation of renewable energy they might be appropriately viewed as supporting infrastructure, contributing to carbon reduction goals by allowing energy demands to be met by alternatives to fossil fuel.

9.38 The response notes that the Local Plan does not contain specific policies or allocations for energy storage systems but is supportive of the need to meet energy demand from renewable sources.

9.39 Dorset Council declared a climate and ecological emergency in 2019, and its Natural Environment, Climate & Ecology Strategy (NECES) sets a clear vision for the Council and wider Dorset to rapidly become carbon neutral, nature positive and resilient. The Council considers climate change is an important part of the planning balance in decision making and has consulted on interim guidance and a position statement on planning for climate change.

9.40 The proximity of a grid connection is a technical consideration that can affect the siting of renewable energy technologies as set out in the government's Planning Practice Guidance. Grid capacity can also be a consideration, and costs for forming connections where the electricity infrastructure is constrained can be very high. In assessing the suitability of the site and the availability of viable alternative options, it

would be appropriate to take into account the requirements of the technology as well as the potential impacts on the environment.

9.41 In respect of agricultural land, the Planning Policy Team note where an application affects the best and most versatile agricultural land, the need for the proposed location should be justified with a sequential approach taken in order to protect the best and most versatile land. It is also appropriate to reflect on the nature and potential lifetime of the development, how long the land may be removed from agricultural productivity and whether any such removal is complete. It is advised that in determining the application a temporary period for any permission granted should be considered, alongside any appropriate site restoration that may be required. The issue of the impact on agricultural land must be considered in the context of the proposed permanent aspects of the proposal as well as the duration of any temporary elements. In this context a longer period such as 40 years is a considerable amount of time, with impacts that would persist for the whole period, and therefore when coming to a decision you should consider giving less weight in the planning balance to the temporary nature of the development.

9.42 Weight can be given to the benefits of these proposals alongside any potential biodiversity enhancements. However, the responsibility to help increase the use and supply of green energy does not mean that the need for renewable energy automatically overrides environmental protections. Given the location of the proposed site, particular regard must be had for the protection of the countryside, environmental constraints, the potential loss of agricultural land and the likely effect of the development on its surroundings.

### **Minerals & Waste Policy**

9.43 The proposed site lies within the Minerals Safeguarding Area (MSA) designated in Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014. The safeguarded mineral underlying the site is expected to be Cornbrash Forest Marble. The Mineral Planning Authority accepts that, although the mineral is safeguarded, the requirement to prior extract the building stone and then backfill/compact the void in advance of the proposed built development would cause an unreasonable delay in bringing forward the proposed built development. In addition, it is considered that there is a relatively low level of demand for this type of stone. Having taken these various factors into consideration, the MPA can confirm that in this case, the mineral safeguarding requirement is waived and no objection will be raised to this proposal on mineral safeguarding grounds.

### **Sustainability Team**

9.44 No objections in relation to council climate strategy and policy.

9.45 Provide comments on the strategic alignment of the project noting that the proposal is aligned with the Council's own local strategic ambitions for net zero – specifically:

1. Mission 1 of our Natural Environment, Climate and Ecology Strategy 2023, which includes an aim to boost deployment of energy flexibility measures such as energy storage.
2. The findings of the Scrutiny-led Grid Task and Finish Group (subsequently endorsed by Cabinet on 12 March 2023), including support for flexibility measures as a means of mitigating grid constraints.

9.46 The Sustainability Team recognise BESS as an important potential contributor to achieving a more stable, efficient, net zero energy network, and an important element in achieving a cleaner and more secure domestic energy system. For context, analysis by Regen has found that 80-100GW of flexibility capacity will be needed nationally by 2035, with 20-25GW provided by electricity storage. SSEN's Distributed Future Energy Scenarios 2023 analysis recognises the significant potential of battery storage capacity within our Southern England license area, forecasting its growth to 4.4GW in 2050 (from 266MW in 2023) according to its central scenario. This proposal would constitute a major contribution to these needs/projections.

9.47 The Sustainability Team recognises the value of the proposal to be that:

- a) it could facilitate the growth of renewable energy generation, and thus likely have a significant impact in facilitating emissions avoidance during the medium term – thereby making a significant contribution to staying within local and national carbon budgets;
- b) that it could play a locally and nationally significant balancing function to the energy system (supporting system resilience during periods of peak demand); and
- c) for each of those reasons, that it may consequently support the national ambition to decarbonise the grid by 2035, and as such could be a major contributor to local and national ambitions to reach net zero.

9.48 The Sustainability Team also comment on the submitted Environmental Statement, in summary:

- a) The assessment makes a reasonable and transparent claim that the facility's operation could facilitate significant beneficial emissions savings by mitigating renewable generation curtailment and enabling grid decarbonisation; and at a magnitude that is of national as well as local significance. The assessment reasonably notes that this could have a significant impact both on the national carbon budget (CB6) and the localised carbon budget.
- b) The reports focus on operational emissions reflects its judgement that emissions associated with construction and decommissioning of the development are likely significantly outweighed by the avoided Scope 2 emissions. That appears a reasonable conclusion, given its assessment of the magnitude of avoided emissions – but the developer ought nevertheless be encouraged to take steps to mitigate emissions within its CEMP and/or CTMP.
- c) Whilst the report omits reference to important net zero policy/strategy nationally (March 2023's Powering Up Britain publication) and locally (our March 2023 refreshed climate strategy), this may owe to the timing of its production and their omission does not undermine the methodology or conclusions of the report – and they may indeed have strengthened its strategic case.



## **Emergency Planning**

9.49 The Council's Emergency Planning Team note the concerns raised by some residents and confirm that they would not have the expertise to comment on the technical aspects of the specific application and is therefore not in a position to either support or object to the application. Emergency Planning recommend consultation with the FRS, UK Health Security Agency, Dorset Environmental Health, UK Radiation, Chemical and Environmental Hazards and Environment Agency.

9.50 In the event of an emergency, Emergency Planning confirm that their role is to work with all other agencies under the banner of the Dorset Local Resilience Forum (LRF) and assist with emergency planning in line with the National Security Risk Assessment (NSRA) and its public-facing version, the National Risk Register (NRR). These risks are noted to be rather strategic in nature - with planning ensuring that Dorset has the right systems and resilience practices in place to manage these risks, should they arise.

9.51 Nonetheless, consistent with the Dorset LRF multiagency response framework, Emergency Planning can provide assurances to the local residents that it will support any response to an emergency at the proposed development site by facilitating access to all relevant local authority resources, to be used alongside other emergency responders' resources involved, in minimising the impacts of the emergency. This is the approach Emergency Planning take to any major incident across the area covered by Dorset Council.

9.52 As to the specific concerns raised in the event of a fire, should the need for an evacuation of the properties downwind be necessary, (as per the advice of UKHSA and Environmental Health at the time of incident) Emergency Planning would work together with the emergency services, volunteer organisations and Dorset Council Social Services to open a rest centre, organise transport to this centre, and ensure adequate staffing support for the duration the centre is open. The local authority has a detailed rest centre plan with many locations available across its boundaries, which can be opened in an emergency evacuation. Working with other agencies at the time of the incident to support air plume monitoring and understand its impacts, while warning and informing residents accordingly, would also be another critical role of Emergency Planning.

## **Archaeology**

9.53 Following submission of the application the Council's Senior Archaeologist requested that trial trenching evaluation be undertaken prior to determination of the application. The scope of the trenching was agreed between the Senior Archaeologist and the applicant's archaeological consultant. The Senior Archaeologist subsequently confirmed that no further archaeological work is required in relation to the proposed development.

## **Public Health Dorset**

9.54 Public Health Dorset confirms it has no objection subject to the developer complying with the advice from Environmental Health to engage with the Fire and Rescue Service to develop a workable and comprehensive risk management plan and an Emergency Response Plan.

## **National Grid Electricity Transmission**

9.55 National Grid Electricity Transmission has no objection to the proposal provided its easements and the necessary clearances from overhead lines are maintained:

1. Clearance is 18 feet from the max swing/sag of the overhead line from any structure;
2. No trees/shrubs to be planted under or within 15 feet of the overhead line at max swing/ sag;
3. Ground level cannot come within 25 feet of the lowest conductor;
4. 15m stand off from our overhead towers from any building or permanent structure that may restrict access unless agreed; and
5. Necessary agreements are in place with NGET for connection into Chickerell substation and the use of NGET land.

## **Southern Gas Networks (SGN)**

9.56 The March 2024 response from SNG confirms that a local engineer will be in contact separately and that SGN objects to the development until such time as detailed consultation has taken place.

9.57 The response notes there are pressure gas pipelines in the vicinity of the site which are protected by a 'Deed of Grant', which prohibits certain activities within the easement strip, no addition to or removal of surface level, no structures over or within the specified distance of the pipeline. The response raises a series of points, including:

1. Any intrusion with the safety zone will not be taken lightly and any intention to proceed should be accompanied by a risk assessment or provision of supporting evidence.
2. There is a wind turbine in the vicinity of the pipeline and that any turbine should be 1.5 times the fixed mast height.
3. No solar panels, equipment or buildings are to be installed within the SGN easement.
4. Any cable crossings should cross at 90 degrees, have a minimum clearance of 600mm from the pipeline and installed in non-metallic ducts which extend 3m from the pipeline. Any cables running adjacent must be kept greater than 3 metres from the pipeline. Further details are available if you require them.

5. No piling/boreholes will be allowed within 15 metres of a pipeline without an assessment of the vibration levels at the pipeline. The peak particle velocity at the pipeline should be limited to a maximum level of 75 mm/sec. Where the peak particle velocity is predicted to exceed 50 mm/sec, the ground vibration shall be monitored by you and a SGN technician must supervise on site.
6. Vehicle crossings over the pipeline must be kept to a minimum and must cross at 90 degrees.

9.58 At the time of writing a further response from SGN remains outstanding. However, SGN has advised that it could be resolved by implementing suitable planning conditions.

### **National Gas**

9.59 Confirm there are no National Gas Transmission assets affected in this area.

### **Scottish and Southern Energy Sub-stations (SSEN)**

9.60 Whilst SSEN was consulted at both stages, it provided late comments on 16 July 2024 following notification of the planning committee.

9.61 SSEN note the site includes electrical apparatus that includes a 33kv high voltage underground cable that runs north/south through the application site. The cable is covered by a Deed of Grant (dated 2 August 1967).

9.62 SSEN note the application seeks to divert the cable, as shown on the Proposed Landscape Plan and note the proposed diversion should have been explored well in advance of a planning application being submitted. SSEN strongly advise that all electrical equipment throughout the site is reviewed.

9.63 SSEN state that any diversion costs would come at the expense of the applicant who would additionally have to cover the legal fees of SSEN, all the while preserving SSENs present rights. SSEN state that the applicant should offer an alternative location for the cable which is acceptable and agreed with SSEN. Until this has been resolved and secured by planning condition SSEN holds an objection.

**Dorset Wildlife Trust** – No comments received.

**Ramblers Association** – No comments received.

### **WPA Consultants Ltd**

9.64 WPA are the Council's consultants in respect of ground conditions and contaminated land. WPA concurs with the need to undertake a watching brief concerning unexpected and currently unknown issues with contamination.

### **Dorset and Wiltshire Fire & Rescue Service**

9.65 Dorset and Wiltshire Fire and Rescue Services (FRS) has provided three consultation responses (all comments) over the course of determination.

9.66 The FRS' **first set of comments** of September 2023 confirms Dorset FRS does not object to the principle of development but recognises BESS developments pose some specific hazards in the event of fire.

9.67 The FRS note that any fire involving grid scale Lithium-Ion (Li-ion) battery storage would be treated as a hazardous materials incident and confirm the expectation that fire and rescue services would initiate an emergency response in the event of an incident, in conjunction with the site operator's own plans.

9.68 The FRS note the evolving technology and ongoing research into the most suitable methods of extinguishing a fire, with current guidance recommending significant volumes of water for a prolonged period.

9.69 The response includes the following detailed comments and recommendations:

1. The FRS acknowledge there has been early engagement with the FRS initiated by the applicant (Statera) and its fire risk adviser (Greston Associates)
2. The applicant should confirm the capacity of water tanks and mechanism for manual fire fighting. Access, space and hardstanding for a pumping appliance should be considered. Separation distances between water tanks and BESS containers should be 10m and cannot be confirmed on the current plans.
3. The provision of suitable turning space and appropriately sized footprint for hard standing to enable an effective firefighting response with multiple vehicles is essential.
4. The plans do not show an alternative access route.
5. Plans appear to show excessive single directional travel within the compounds. Single access routes to each compound up wind of the battery containers. This could impact firefighting access and choice of operational tactics.
6. The current proposal suggests a 3m separation distance between BESS containers. This falls below 6m minimum recommended in NFCC guidance but appears to meet the requirements of NFPA:855. The justification for this reduction should be included in the overall site risk assessment.
7. Drawing show in excess of 30 containers in some rows. Increasing spacing to divide the rows would reduce the risk of fire spread as an additional control measure.
8. Individual site location and design will mean that distances between BESS containers and site boundaries will vary. Proposed distances should consider risk and mitigation factors. Current guidance suggests a minimum distance of 25 metres prior to any mitigation.
9. The plans indicate new woodland which appears to conflict with the above guidance. Areas within 10 metres of BESS containers should be cleared of combustible materials and vegetation.

10. Automatic suppression systems which aim to prevent thermal run-away within cells are a feature of most systems however the effectiveness of these systems is variable. Alternative extinguishing media are not considered appropriate at this time. The Integrated Fire Risk Management Strategy should include the full technical detail of all fire protection systems.
11. Early detection of a potential fire situation is critical and fast response detection system linked to the battery management system is considered an essential component of the design. It is considered unlikely that fire service resources would be in attendance within the timeframe required to prevent a thermal run-away event once it has begun.
12. The inclusion of a premises information box and ongoing engagement with the Fire Liaison Framework is noted and welcomed.
13. Once thermal run-away has occurred, defensive firefighting tactics would be the preferred option to allow the cell or module involved in fire to burn out and to protect surrounding modules and infrastructure. This would be undertaken on advice and with agreement from the Environment Agency and technical support services.
14. The potential for contaminated fire water runoff is acknowledged as an area for further consideration, although the type and level of contamination is not easily quantifiable. Our default position is therefore one of containment where possible although this is very difficult to achieve for large volumes of water during a dynamic incident.
15. Consideration should also be given to engaging with the Environment Agency in relation to protection of water sources or aquifers in the event of fire water runoff and any pollution control measures as may be appropriate.
16. Airborne smoke and products of combustion would inevitably contain toxic effluents. Liaison with other agencies to support the air monitoring and warning and informing of local residents would form an essential part of the emergency response.
17. It is our experience that most site designers and operators are keen to engage with fire services to ensure that their operational plans are fit for purpose, and we have already undertaken site visits to the larger installations within our area to assist with operational planning.
18. We continue to engage with Statera at the application stage to ensure that changes in guidance are reflected in the final design.
19. We also recognise the concerns of residents in relation to the impact of these sites on the local environment and whilst we cannot provide assurance that we will not experience a fire in one of these sites, we are taking steps to ensure that the impacts are reduced as far as possible.

9.70 The FRS' **second response** of January 2024 note they have had further discussion with the applicant and note the amendments to the site design for fire fighting provision. The FRS welcome the inclusion of a planning condition and the ongoing communication through the Fire Liaison Framework.

9.71 On the basis that procurement of the battery containers includes an ongoing assessment of the suitability of the fire engineered solution regarding spacing of containers, the FRS confirm they are satisfied this achieves the objectives of NFPA 855.

9.72 The **third response** was provided in June 2024. It acknowledges Hydrock's (Dorset Council instructed consultant) peer summary of NFCC compliance dated 11 June 2024 and confirms that the FRS is satisfied at this stage that areas of non-compliance in line with NFCC guidance have been identified, assessed and/or highlighted to the applicant.

9.73 As highlighted in Hydrock's report, the fire resistant protection between battery cabinets should be assessed once the procurement of the battery containers has been confirmed. The FRS recognise that the Emergency Response Plan (ERP) requires further detail as this is contingent on the battery procurement and associated technical requirements. In the event that planning permission is granted further site specific operational planning will be undertaken.

## **Hydrock**

9.74 Hydrock is a multidisciplinary consultancy with fire engineering experience of BESS developments. It was instructed by Dorset Council to provide an independent peer review of ES Volume 9: Fire Risk.

9.75 Hydrock provided a Peer Review on 27 March 2024. It sets out detailed considerations and identified applicant actions, a number of which are at the detailed design (post-planning) stage. In summary:

1. Detection and Battery Management System – Each battery cabinet will be equipped with heat detection, smoke detection and flammable gas detection. Exact design has not been confirmed. Each battery container would have its own battery management system. In the detailed design of the system, the consultant should detail the detection system specification and operation. This should include the specific operating parameters of the detectors, how they are monitored and the response to a detection event.
2. Fire protection barrier – The applicant should detail the specification/duration of the fire protection provided by partitions between battery cabinets and by the enclosure of the battery unit. This should include justification as to why the specification/duration of fire protection is appropriate for the risk.
3. Fire suppression system – Although the design specification has not been finalised, it is understood that each battery cabinet will be supplied with its own independent fire suppression system. In the detailed design of the system, the

consultant should provide details of the suppression system specification and operation.

4. Explosion prevention – Each battery cabinet will be equipped with: ventilation passive pressure relief valve; and active exhaust vents. Provided the venting within the containers is designed in accordance with NFPA 68 & 69, the reviewer agrees that this is appropriate at reducing deflagration and overpressure risks. In the detailed design of the system, the consultant should provide details of design methodology for the deflagration vents (NFPA68) and explosion prevention measures (NFPA69). This should include the location, size and operating pressures/methodology for each vent. In addition, the calculations made for the specification of each vent (following the relevant methodology in NFPA68/NFPA69) should be provided.
5. External radiative spread / separation distances within application site – The report has assessed fire spread between BESS containers. The calculated received radiation at an adjacent unit is  $7.5\text{kW/m}^2$ , against an acceptance criterion of  $35\text{kW/m}^2$  (the reference for failure of steel plate at 20- mins exposure). The reviewer agrees that the received radiation of  $7\text{kW/m}^2$  represents a low risk of fire spread between containers, and is a betterment over the standard criterion of the building regulations for building-to-building fire spread ( $12.6\text{kW/m}^2$ ). Therefore, the reviewer agrees that the likelihood of BESS-to-BESS fire spread on site is low. Distances between containers of 3m aligns with NFPA 855 guidance. Minimum 60 mins thermal protection between BESS containers should be provided. Risk of spread to other infrastructure and planting should be considered.
6. External radiative spread / separation distances with neighbouring buildings – The radiative fire spread to neighbouring property to the site has been highlighted and included in the fire and plume study report. This addresses the impact of a battery fire to a neighbouring site and whether there is a risk of fire spread/damage to that property. The reviewer agrees that analysis for the neighbouring houses and skip hire site is overall appropriate. The computational fluid dynamic (CFD) modelling shows no risk to a building 12m away.
7. Fire service liaison and provisions – The consultant should set out details of deflagration and explosion protection systems (NFPA68 & NFPA69) to the fire service. The consultant should confirm details of the vehicle access path around the site in order to confirm that the dimensions of the road are suitable for fire tender vehicle access.
8. Results and impairment thresholds – The applicant should provide a reference for the failure rates stated in the assessments and what is the basis for the failure rates of BESS equipment specifically.

9. Checklist (Appendix B) of compliance against NFCC guidance provided, identifying areas of compliance/non-compliance and where further information is required.

9.76 Following further correspondence with, and information from, the applicant, including selection of a battery manufacture (BYD), Hydrock provided tables setting out responses on the applicant's response to actions and compliance with NFCC Guidance. The response confirms the majority of actions initially identified by Hydrock have been closed, with the exception of:

1. Fire protection barrier – There would be no fire resistant protection between BESS containers. Whilst fire protection it is recommended by NFPA 855, there would be no fire spread between containers as demonstrated by the UL9540A test. The test is only valid for the exact battery type proposed. Therefore, if the battery technology changes, the enclosures may require fire protection.
2. Results and impairment thresholds – Hydrock do not agree with the source referencing or assumption for failure rates of BESS. However, failure rates do not really have a material impact in this design as with BESS as it is designed for worst case failure (akin to building regulations method). The design methodology followed assumes that a fire scenario will occur, and recommends design measures to mitigate against the effects of the occurrence. Hence, an order of magnitude frequency is not required, provided the stated design safety mitigations are implemented that Hydrock have highlighted.

9.77 The response also confirms the majority of NFCC compliance matters are agreed subject to adherence to the further details that have been submitted (including battery specification and MC Cube ESS Fire Control Technology Plan).

#### **Dorset Police Architectural Liaison Officer**

9.78 The security measures being put in place appear to be proportionate for the development. However, the officer would like to know how many monitored CCTV cameras there are going to be across the site. The officer has liaised with colleagues and is not aware of any terrorism threats. If planning permission is granted issues around crime and security are likely during the construction phase. The Officer would be happy to meet with the developer in the early stages to ensure there are suitable security measures in place to prevent this from happening.

#### **Chickerell Town Council**

9.79 Chickerell Town Council's **first set of comments** of September 2023 recommend refusal of the application on the following grounds, in summary:

1. The area is not identified for any development in the Chickerell Neighbourhood Plan.



2. The site forms part of the approved wildlife corridor identified in the Chickerell Neighbourhood Plan meaning this proposal will block the corridor and have a significant effect on wildlife.
3. Health and safety concerns for the surrounding, very close, residential properties and proximity to schools and public open spaces.
4. There being no local policy for fire safety of battery containers.
5. Insufficient spacing between BESS containers.
6. Lack of a second access route for emergency vehicles, in conflict with National Fire Chief Council guidance.
7. Should a major fire occur, the toxic plume could cover very large areas of population dependant on wind direction.

9.80 The **second set of comments** of January 2024 add the following points of objection to their earlier response and maintain the recommendation for refusal:

1. Proposal does not fully comply with National Fire Chief Council guidance on the spacing of BESS containers.
2. Site is too close to existing residential properties and proposed housing developments.

### **Chickerell Ward Councillors**

9.81 Cllr John Worth (ward member prior to the May 2024 local elections) requested that the application be considered by the Strategic Planning Committee as it represents one of the largest BESS applications in the UK and has raised considerable public interest and concern.

9.82 Cllr Jean Dunseith (ward member prior to the May 2024 local elections) requested that the application be considered by the Strategic Planning Committee due to the scale of development.

9.83 Cllr Taylor objects to the development due to the proximity to existing and proposed houses and the lack of a strategic approach due to BESS' not being in the Local Plan. BESS developments should be plan-led rather than piecemeal.

9.84 Cllr Simon Clifford raises an objection to the proposal and requests that the Committee note his objection as he believes he is representing an overwhelming local view that the proposed development is the wrong project in the wrong place. There is alarm and concern about the proximity to current and planned housing and worry about fire risks.

### **Representations received**

9.85 At the time of writing 159 representations have been received. Of these, 138 are objections, five make comments and 16 representations are in support of the application. The representations have been taken into account in assessing the proposal.

9.86 A petition signed via the Chickerell Action Group website objecting to the development on the following basis has been signed by 561 people:

“This proposal is wholly inappropriate adjacent to the homes of approximately 57,000 people, who could be affected by an exclusion zone in the event of a fire or explosion releasing highly toxic gases, as well as potentially

contaminated water courses from trying to manage such a fire. Planning permission should be denied on the grounds of potential impact on Health and Public Safety.”

9.87 In summary, the following responses have been received:

**Chris Loder MP (former MP for West Dorset)**

9.88 Objects to the development. Concerns raised in relation to the fire safety of Lithium-Ion batteries and proximity to developed residential areas. Also concerns with aesthetic impact on the surrounding countryside. Note the applicant has made clear their ambitions for a near three thousand acre solar farm in the immediate environs of the proposed site. It is clear that such a facility would be designed to serve a future solar park which has already caused immense concern amongst the local community.

**Richard Drax MP (former MP for South Dorset)**

9.89 Relays concerns from the FRS and requests that the application is considered very carefully.

**Weymouth Town Council**

9.90 Weymouth Town Council (WTC) provided comments in October 2023 in support of the principle of the development but insisting that comments from Dorset Fire and Rescue Service are fully addressed. Concerns are raised regarding Chickerell Neighbourhood Plan (CNP) Policies 4 (Chickerell Wildlife Corridor) and 10 (Locally Valued Landscape north and east of Chickerell Village). WTC note concerns related to noise which need to be mitigated. The size of the site needs to be assessed due to close proximity to Coldharbour Lane and the developer needs to look at better solutions that have less fire risk, e.g. vanadium.

9.91 Subsequent comments of January 2024 maintain the WTC’s previous comments and notes WTC would also like to reference the NFCC guidance.

**Chesil Bank Parish Council**

9.92 Neighbouring Parish Council, Chesil Bank, strongly object to the development on the grounds of public safety and environmental impact and raise wide-ranging concerns in relation to: highway safety; traffic impacts (including air pollution); noise pollution; adverse effects on the Dorset AONB; cabling would need to be underground; inadequate spacing between BESS containers; maintenance of rural roads due to inappropriate vehicles using roads for access; pollution in the event of a BESS fire; adverse impacts on Chesil and the Fleet; public safety concerns; evacuation within 3km of the site in the event of a fire.

**Chickerell Action Group**

9.93 The objections from Chickerell Action Group (CAG) are extensive and raise a number of concerns. In summary:

*September 2023*

1. Principle – Unacceptable due to location outside of a defined development boundary. Development is not a renewable energy scheme. Alternative sites have not been considered.

2. Viability – information has not been provided. Concerns development would fail to be competitive over the lifetime of the development. Li-on phosphate technology will soon be outdated.
3. Adverse landscape impact – development is quasi-industrial and the scale of development means it cannot be effectively mitigated.
4. Harm to green corridor.
5. Harm to local identity and distinctiveness.
6. Loss of best and most versatile agricultural land.
7. Pollution to watercourses – through contaminated fire water, including of Radipole Lake SSSI. Proposed ponds are not of sufficient capacity.
8. Public open space and community orchard – is contrary to Policy COM4 due to inadequate parking facilities and footpaths.
9. Harm to residential amenity – including: visual amenity; noise; vibration; traffic; and air quality. Particularly during the 18 month construction period. Validity of Noise Impact Assessment findings.
10. Fire safety and conflict with guidance from the FRS and NFCC – access points, BESS container spacing, water supply, conflict with proposed landscaping. Accident and disaster detail is lacking. Fire and Plume Study cannot be relied upon. Risks of thermal runaway.
11. Ecology – Objectives in LEMP and Biodiversity Plan cannot be achieved. Loss of trees. Impact of noise on animals.
12. Human rights – residents have a right to safety (physically and mentally).
13. Adverse cumulative impacts – does not consider existing adjacent solar farm.
14. Alternatives – Alternative technologies should be considered as part of the EIA.
15. Planning balance – National benefit does not outweigh local harm.

*February 2024*

In addition to earlier points:

16. Conflict with NFCC Guidance – container spacing and access (branching does not provide two accesses).
17. Inadequacies of proposed conditions and queries about the applicant.
18. Alternatives – viability of cabling from alternative site questioned.
19. Floodlighting – would have an adverse effect on residential amenity and wildlife.
20. Standards – Query what other standards the proposal adheres to, including secure IT systems being compliant with security standards.
21. Engagement with applicant – has been disappointing. Applicant has not responded to questions raised by CAG.

### **Weymouth Civic Society**

9.94 Objected at both stages of public consultation on the following grounds:

1. Location – unsuitable and dangerous given proximity to residential areas.
2. Health and safety – dangers of fire, explosion and contamination.
3. Noise pollution – flawed methodology and 24/7 explore throughout year.
4. Agriculture, landscape and wildlife habitat – permanent damage and harm to Land of Local Landscape Importance. Loss of BMV agricultural land.
5. Highways – disruption, highway safety and flawed methodology.
6. Terrorism – risk of infrastructure being targeted by terrorists.

### **Dorset Campaign to Protect Rural England (CPRE)**

9.95 CPRE considers BESS would be a clear danger to the local population due to evidenced fires world-wide. Location and scale is not appropriate. Proposal would cause disruption during construction and would result in the loss of BMV agricultural land. It would be located on brownfield land. Proposal would harm the landscape and destroy the green area between Chickerell and Southill, and damage green corridors.

### **Comments from members of the public**

9.96 Comments and objections received were wide-ranging, with the principal concern related to fire risk and associated impacts. In summary, the following key themes of the representations are as follows:

<b>Topic</b>	<b>Comments</b>
Location and principle	<ul style="list-style-type: none"> <li>- Too close to urban area, residential properties (including planned development east of Chickerell), holiday accommodation, schools, care home, workplaces, police station, football stadium and golf course.</li> <li>- Proposal doesn't need to be located at application site.</li> <li>- Site is not allocated for development.</li> <li>- Should be located on a brownfield site.</li> <li>- Should be located in a remote area.</li> <li>- Should be located within defined development boundary.</li> <li>- Locating development at the park &amp; ride, Golf Course or football club would be more suitable.</li> <li>- Loss of best and most versatile agricultural land and harm to food security.</li> </ul>
Need	<ul style="list-style-type: none"> <li>- Development is not required.</li> <li>- There are better alternatives, including residential batteries within homes.</li> </ul>
Viability	<ul style="list-style-type: none"> <li>- Question whether the development is viable due to conversion between AC and DC.</li> </ul>
Scale	<ul style="list-style-type: none"> <li>- BESS is too large, one of the largest in the world.</li> </ul>

Climate change, sustainability and whole lifecycle considerations	<ul style="list-style-type: none"> <li>- No guarantee stored electricity would be produced from sustainable sources.</li> <li>- Proposal would compromise the ability of future generations to meet their own needs, particularly in terms of food production, provision of housing and protection of the environment.</li> <li>- Ineffective use of land and natural resources.</li> <li>- Carbon will be released during construction.</li> <li>- Adverse impacts of mining lithium which uses vast quantities of water and is mined mostly in Australia and South America and has an enormous carbon footprint.</li> <li>- Batteries are difficult to recycle.</li> <li>- Human rights concerns regarding mining of raw materials.</li> </ul>
Landscape, visual impact and local character	<ul style="list-style-type: none"> <li>- Proposals will change the character of the area.</li> <li>- Adverse landscape and visual impacts, including when looking north from Weymouth.</li> <li>- Site is located within the Dorset National Landscape (AONB).</li> <li>- Adverse impacts on the Dorset AONB, including views into and out of the AONB, including from the eastern end of Lanehouse Rocks Road.</li> <li>- Overdevelopment of Chickerell.</li> </ul>
Landscaping and open space	<ul style="list-style-type: none"> <li>- No clear details of landscaping have been provided.</li> <li>- Public will not be allowed in close proximity to the site due to security.</li> <li>- Footpaths are not attractive because they do not lead anywhere.</li> <li>- Who would be responsible for management and maintenance of the 'Country Park'?</li> <li>- Should park be locked at night to discourage vandalism.</li> <li>- Conflict with Chickerell Neighbourhood Plan Policy CNP10: Locally Valued Landscape north and east of Chickerell.</li> </ul>
Ecology and trees	<ul style="list-style-type: none"> <li>- Proposals will have a detrimental effect on ecology, including wildlife and animals of nearby paddocks.</li> <li>- Queries about habitat loss and why protection of existing habitats is not always possible.</li> <li>- Maintenance of new habitats needs to be confirmed.</li> <li>- Loss of existing hedgerows.</li> <li>- Native plant and seed species should be used.</li> </ul>
Economy	<ul style="list-style-type: none"> <li>- No benefit to local economy or employment opportunities for locals.</li> <li>- Development would harm tourism in local area and associated spending in local economy.</li> </ul>
Highways	<ul style="list-style-type: none"> <li>- Concerns with construction impacts of vehicles in Chickerell and local highway network.</li> </ul>

	<ul style="list-style-type: none"> <li>- Concerns with the transportation of oversized load (112 tonne transformer) from Portland Port, including damage to roads.</li> <li>- Road safety concerns with narrow roads for a range of road users, including cyclists and horse riders.</li> <li>- Additional traffic generated by park should be considered.</li> <li>- Question whether a car park should be provided.</li> <li>- Query whether double yellow lines are required along Coldharbour to prevent park users from parking on road.</li> <li>- Potential conflict with users of the access track from Coldharbour.</li> <li>- Need for parking to serve users of the open space.</li> <li>- Unsuitable access, including for emergency vehicles.</li> </ul>
Heritage	<ul style="list-style-type: none"> <li>- Jurassic Coast World Heritage Site has not been considered.</li> </ul>
Pollution, noise and vibration	<ul style="list-style-type: none"> <li>- Impacts of toxic emissions in the event of a fire. May include Hydrogen Cyanide, Hydrofluoric Acid, Carbon Monoxide.</li> <li>- Adverse impacts on human health and environment in the event of a fire, including livestock.</li> <li>- Pollution pathway to Radipole Lake SSSI in the event of a fire.</li> <li>- 27/7 noise will be unbearable. It will affect ability to sleep.</li> <li>- Validity of noise assessment.</li> <li>- Pollution of land, watercourses and sea in the event of fire.</li> <li>- Potential vibration impacts.</li> <li>- Smell would be an intrusion.</li> </ul>
Disruption	<ul style="list-style-type: none"> <li>- Disruption caused by relocation of telegraph pole at entrance, and query whether Open Reach has been consulted.</li> </ul>
Flood risk and drainage	<ul style="list-style-type: none"> <li>- Attenuation ponds do not show where contaminated water drains off to before being treated.</li> </ul>
Precedent	<ul style="list-style-type: none"> <li>- Approval of BESS would facilitate development of large solar farm within AONB.</li> <li>- BESS is only required to facilitate the solar farm.</li> </ul>
Public benefit	<ul style="list-style-type: none"> <li>- There would be no direct benefit to the local community.</li> </ul>
Consultation	<ul style="list-style-type: none"> <li>- Statutory authorities must be consulted.</li> </ul>
Private interests	<ul style="list-style-type: none"> <li>- Development is profit driven.</li> <li>- Loss of property value without compensation.</li> <li>- Will reduce the desirability of housing within the local area.</li> <li>- Proposal would increase insurance costs for nearby residents.</li> <li>- Reduces ability for nearby paddock owners to sell land or use it as they desire.</li> <li>- The proposal will not reduce energy costs.</li> </ul>

<p>Fire risk and health &amp; safety</p>	<p><i>Risk</i></p> <ul style="list-style-type: none"> <li>- Proposals represent an unacceptable fire risk for local residents, including new houses and primary school to the east of Chickerell due to fire, smoke and explosion risk.</li> <li>- Risks and the likelihood of a fire are greater than stated by the applicant.</li> <li>- A BESS fire is likely to occur and there are examples of BESS fires around the world, including in Liverpool.</li> <li>- There would be a risk to life.</li> <li>- There is no guarantee fires will not occur.</li> <li>- Technology is in its infancy and there are still too many unknowns.</li> <li>- Applicant is inexperienced in operating BESS developments.</li> <li>- Risk of lightening strikes and air accident.</li> <li>- Concerns with 'hidden functionalities' of BESS software which could be weaponised and used in terrorism.</li> <li>- Risks of cyber attack if facility can be remotely operated.</li> <li>- Risks of vandalism.</li> <li>- Concerns with validity of plume modelling.</li> <li>- Query whether Control of Major Accident Hazards Regulations 2015 have been addressed.</li> </ul> <p><i>Site Design</i></p> <ul style="list-style-type: none"> <li>- Inadequate access for fire services. Two accesses should be provided.</li> <li>- Spacing of containers is minimal.</li> </ul> <p><i>Monitoring</i></p> <ul style="list-style-type: none"> <li>- Monitoring of battery conditions and heat generation is inadequate.</li> <li>- Constant monitoring is required.</li> </ul> <p><i>Suppression</i></p> <ul style="list-style-type: none"> <li>- Lack of fire suppression within the containers.</li> <li>- Technical information on the type of Li-On batteries should be provided.</li> <li>- Risk to firefighters in the event of a fire.</li> </ul> <p><i>Emergency planning and response</i></p> <ul style="list-style-type: none"> <li>- An Emergency Plan is required.</li> <li>- Potential lockdowns in the event of fire due to prevailing winds. Queries how long it would take to evacuate properties within 500m and lockdown homes within 5km.</li> <li>- Residential areas may need to be evacuated in the event of a BESS fire.</li> <li>- Unacceptable risk to resident and tourist safety and well-being.</li> <li>- Large scale evacuation would be necessary in the event of fire.</li> <li>- Queries how local population would be protected and warned in the event of an emergency.</li> </ul>
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	<ul style="list-style-type: none"> <li>- Queries how the FRS would respond and how long it would take for monitoring equipment to be put in place.</li> <li>- The Council has a Duty of Care for the public.</li> </ul>
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9.97 Comments in support raised the following points:

Topic	Comments
Location	<ul style="list-style-type: none"> <li>- BESS developments have to go somewhere.</li> <li>- Location is far enough away from most properties.</li> </ul>
Need	<ul style="list-style-type: none"> <li>- Many BESS sites are needed across the UK.</li> <li>- Existing electricity network is heavily constrained.</li> </ul>
Energy security and climate change	<ul style="list-style-type: none"> <li>- Development is sustainable.</li> <li>- BESS' are essential to transition from fossil fuels and the proposal would help to reduce reliance on fossil flues and support energy security.</li> <li>- Development would assist in smoothing out energy demands.</li> <li>- Development would reduce the need to build new power stations and for renewable energy to be shut down when electricity is oversupplied.</li> <li>- Development would provide a balancing function to demand at peak periods.</li> <li>- Proposal would reduce the risk of power cuts in future winters.</li> <li>- Benefits would assist Weymouth and the South of England.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>- Urban development within Weymouth has a worse impact on landscape than proposed development.</li> </ul>
Health and safety	<ul style="list-style-type: none"> <li>- Health and safety concerns are overstated by objectors.</li> <li>- All development comes with risks. These should not prevent moving beyond fossil fuels.</li> </ul>

## 10.0 Duties

10.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

## 11.0 Relevant Policies

### Development Plan

11.1 The following policies are considered to be relevant to this proposal:



- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV3 - Green infrastructure network
- ENV4 - Heritage assets
- ENV5 - Flood risk
- ENV6 - Coastal erosion & land instability
- ENV8 - Agricultural land and farming resilience
- ENV9 - Pollution and contaminated land
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 - Amenity
- SUS2 - Distribution of development
- COM7 - Creating a safe & efficient transport network
- COM9 - Parking provision
- COM11 - Renewable energy development

### **Chickerell Neighbourhood Plan:**

- CNP4 - Chickerell Wildlife Corridor
- CNP10 - Locally valued landscape north and east of Chickerell Village
- CNP11 - General design principles
- CNP12 - Enhancing biodiversity

### **Material Considerations**

#### **Emerging Local Plans:**

11.2 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

11.3 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

### **Supplementary Planning Document and Guidance**

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

Landscape Character Assessment February 2009 (West Dorset)

Climate & Ecological Emergency Strategy, Dorset Council (15 July 2021)

Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023)

Planning for Climate Change: Interim Guidance and Position Statement (December 2023)

**National Planning Policy Framework (December 2023):**

11.4 Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be

11.5 approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

11.6 Relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'. Local planning authorities should not require applicants to

demonstrate the need for renewable or low carbon energy and should approve applications if impacts are (or can be made) acceptable (Para. 163).

- Section 15 'Conserving and Enhancing the Natural Environment' - Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

### **National Planning Practice Guidance**

11.7 The NPPG acknowledges the benefits of BESS and provides guidance to applicants and Local Planning Authorities (034 Reference ID: 5-034-20230814 and 035 Reference ID: 5-035-20230814 respectively). It recommends consultation with the local fire service and consideration of proposals against guidance produced by the National Fire Chiefs Council (NFCC) (2023).

11.8 The associated [Chief Planner Newsletter](#) of 11 September 2023 notes that ensuring BESS developments are sited, installed, operated, maintained and decommissioned safely are priorities for the Government together with ensuring that potential risks to safety are duly assessed.

### **Grid Scale Energy Storage System Planning Guidance (2023)**

11.9 This planning guidance was published by the National Fire Chiefs Council (NFCC) in 2023. It provides detailed guidance on the planning, design and management of BESS developments and references other guidance, comprising:

- National Fire Protection Authority (NFPA) (2023) – Standard for the Installation of Stationary Energy Storage Systems ('NFPA855')
- FM Global (2017) Property Loss Prevention Data Sheets: Electrical Energy Storage Systems

### **National Policy, Government Guidance and Strategy**

- Net Zero Strategy: Build Back Greener (2021)
- British Energy Security Strategy (2022)
- Government Response: Facilitating the deployment of large-scale and long duration electrical storage (2022)
- Powering Up Britain (2023)
- Powering Up Britain Energy Security Plan (2023)
- Overarching National Policy Statement for Energy (EN-1) (2023)
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)
- UK Battery Strategy (2023)
- Health and Safety Guidance for Grid Scale Electrical Storage Systems (2024)

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty**

13.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

13.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty and it is not considered that the development would affect anyone with protected characteristics.

## **14.0 Financial benefits**

14.1 Employment, particularly during the construction and decommissioning phases of the development (moderate benefit), as well as statutory and site operators during the lifetime of the development (limited benefit).

## **15.0 Environmental Implications and Context**

15.1 At a national level the Government aims to reduce carbon emissions by 80% (compared to 1990 levels) by 2050 and fully decarbonise the electricity grid by 2035. The Government aims to achieve these targets in a number of ways, including through development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023).

15.2 The Government’s Net Zero Strategy: Build Back Greener (October 2021) acknowledges that the path to net zero in 2050 will respond to the innovation and adoption of new technologies over time. Whilst the exact technology and energy mix in 2050 cannot be known now, the Government identifies a number of green technologies (including storage), which interact to meet demand across sectors.

15.3 Electricity storage complements the rapid necessary expansion of renewable technologies by providing a balancing function to support the intermittent energy

supply from renewable sources.

15.4 National Policy Statement EN-1 (2023) states that storage has a key role to play in achieving net zero and providing flexibility to the energy system. Storage is noted to support the usable output from intermittent low carbon generation, reducing the total amount of generation capacity needed on the energy system, thereby helping to reduce constraints on the network and helping to defer or avoid the need for costly network upgrades as demand increases. EN-1 confirms there is currently around 4GW of electricity storage operational in Great Britain, around 3GW of which is pumped hydro storage and around 1GW is battery storage.

15.5 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023) adds that as the electricity grid sees increasing levels of generation from variable renewable generators such as offshore wind, onshore wind and solar power, there will be an increasing need for storage infrastructure to balance electricity supply and demand.

15.6 The Government's British Energy Security Strategy (2022) sets out how the Government seeks to secure clean and affordable energy in the long term. The wide-ranging initiatives include encouraging all forms of flexibility with sufficient large-scale, long-duration electricity storage (LLES) to balance the overall system.

15.7 In August 2022, the Government issued a response on facilitating the deployment of LLES. The response states that "a smart and flexible energy system is essential for integrating high volumes of low carbon power, heat, and transport. The importance of flexibility for our energy security to ensure that we can efficiently match supply and demand and minimise waste was recognised in the British Energy Security Strategy. We anticipate that at least 30GW of low carbon flexible assets, which includes electricity storage, may be needed by 2030 to maintain energy security and cost-effectively integrate high levels of renewable generation."

15.8 The document notes that battery developments have an important role to play in achieving net zero, helping to integrate renewables, maximising their use, contributing to supply, and helping manage constraints in certain areas. The response further recognises that electricity storage developments provide low carbon flexibility, replacing some unabated gas generation and diversifying our technology mix to help meet energy targets.

15.9 More recently, the Government's Powering Up Britain: Energy Security Plan (2023) explains the Government is facilitating the deployment of electrical storage at all scales and is working to ensure an appropriate, robust and future-proofed health and safety framework is sustained as electrical storage deployment increases.

15.10 In November 2023 the Government published the UK Battery Strategy. It reiterates that batteries will play an essential role in our energy transition and our ability to achieve net zero by 2050. In respect of battery safety, the Strategy notes

the UK has a strong health and safety and regulatory framework covering the breadth of different batteries noting work is continuing to improve battery safety. It confirms the Government will continue to prioritise cross-departmental work into the ongoing safety of industrial-scale batteries.

15.11 The Department for Energy Security and Net Zero's (DESNZ) January 2024 consultation on Long Duration Electricity Storage identifies that there is a pipeline of at least 35GW of Lithium-Ion BESS across the UK with either a planning application submitted, planning application accepted or currently under construction.

15.12 In April 2024 DESNZ published Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems (March 2024). This document highlights the rapid growth of grid-scale electrical energy storage systems (EESS) connecting to our electricity system which play an essential role in our energy transition and our ability to achieve net zero targets. This document highlights the existing legislation, regulations, standards and other industry guidance is intended as a good practice guidance to EESS project developers to help navigate the Health and Safety (H&S) landscape and ensure relevant aspects of H&S are integrated into their process(es).

15.13 The NPPF (Para. 163) sets out that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable energy and recognise that even small-scale projects provide a valuable contribution to significant cutting of greenhouse gas emissions. It also sets out that applications should be approved if the impacts are (or can be made) acceptable. On 8 July 2024, the Government withdrew the footnotes to Para. 163. This change removes the previous requirement for wind turbines to be within an area identified as suitable for wind energy development in a Development Plan or Supplementary Planning Document and for impacts identified by the local community to have been appropriately addressed and the proposal to have community support.

15.14 Dorset Council accepts that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency in May 2019, with the aim of taking a lead as an authority in tackling climate change. In November 2019 this was escalated to a Climate and Ecological Emergency. On 28 July 2024 Dorset Council declared a Nature Emergency.

15.15 Dorset Council's Natural Environment, Climate & Ecology Strategy (2023) includes a number of missions to support the strategy. 'Mission 1: Renewable Generation' identifies the deployment of renewables and storage to support the overarching mission of decarbonising the grid by 2035. Dorset Council published the Climate Change: Interim Guidance and Position Statement in December 2023. The Statement confirms battery storage infrastructure as forming a component of standalone renewable energy generation schemes. It notes climate change will be

given significant weight as a material consideration in the balance when determining applications, in line with the legislative and national policy context.

15.16 The proposed BESS has a power of 400MW and capacity of 2,400MWh (i.e. six hour duration). The applicant estimates that, based on a conservative three hour discharge am and pm (one cycle a day on a six hour system), the BESS would provide 2,400MWh/day (2.4mKWh/day). Whilst electricity discharged by the BESS would not all be consumed locally, based on 2021 census data, and for comparison purposes, the proposed BESS has potential to serve the electricity needs of approximately 233,937 households or 138% of households in Dorset<sup>1</sup> based on mean domestic consumption of 3,744.6kWh/year for the average Dorset household in 2022<sup>2</sup>. According to Ofgem<sup>3</sup>, the average British household uses 2,700kWh of electricity and 11,500kWh of gas. Based on this lower average figure, the proposed BESS has the potential to serve the electricity needs of approximately 324,444 households based on average British household electricity usage. It would help to support local, national and international targets through the provision of renewable energy supporting infrastructure, thereby reducing carbon emissions and helping to decarbonise the grid. The location, in close proximity to the Chickerell Substation, would reduce electricity losses compared to transmission of electricity over longer distances.

15.17 Volume 5 of the Environmental Statement (ES) includes a Greenhouse Gas (GHG) Emissions Assessment which considers the GHG emissions that would be avoided through the proposed development and the renewable energy production that could be supported by reducing the need for curtailment (i.e. stopping wind and solar electricity generation in times of surplus). The ES estimates that the proposed development would result in a positive GHG impact in the order of approximately 1,559,957 tCO<sub>2</sub>e savings by 2037, the end of the UK's Sixth Carbon Budget period. This represents a significant benefit in the context of Dorset Council's Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023) which states "we must achieve a carbon neutral Dorset by 2050 and a carbon neutral council by 2040." Compared to Dorset Council's emissions, which were 24,326 tCO<sub>2</sub>e in 2023<sup>4</sup>, the carbon savings of the BESS is sufficient to neutralise the Council's own emissions for the next 64 years based on 2023 emission levels. As a county, Dorset's emissions were 2.27 MtCO<sub>2</sub>e/year<sup>5</sup> in 2023. For comparison, the

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<sup>1</sup> Census (2021) confirms Dorset has a total of 169,261 households.

<sup>2</sup> Government 'Sub-national electricity consumption statistics 2005 to 2022' – updated 25th January 2024) for 'mean domestic consumption kWh per household' in Dorset during 2022:

[https://assets.publishing.service.gov.uk/media/65b024e0160765000d18f73c/Subnational\\_electricity\\_consumption\\_statistics\\_2005-2022.xlsx](https://assets.publishing.service.gov.uk/media/65b024e0160765000d18f73c/Subnational_electricity_consumption_statistics_2005-2022.xlsx)

<sup>3</sup> Ofgem: <https://www.ofgem.gov.uk/average-gas-and-electricity-usage>

<sup>4</sup> Page 11 DC's Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023)

<sup>5</sup> Page 10 DC's Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023)

proposed development is estimated to save 350,000 tCO<sub>2</sub>e in its first year representing approximately 15% of current total county-wide emissions. The proportion saved would reduce over time as more renewable energy is deployed and the grid is decarbonised.

15.18 It is understood that the Applicant has secured a grid connection date in 2028 subject to planning permission. The proposal therefore has potential to make an early positive contribution towards the above objectives. Given the connection date of 2028 and the complexity of the development, a longer implementation period of 5 years is considered reasonable in this instance should Members resolve to grant planning permission.

15.19 The environmental benefits have to be balanced against the environmental impacts of the development, including: embodied carbon in construction materials; associated transport emissions during construction and operation; and the partial development of a greenfield site with associated landscaping. Whilst specific assessment of emissions from activities related to the construction and decommissioning of the development were scoped out of the ES, Volume 5 of the ES notes that such emissions are expected to be very minor relative to the GHG reduction benefits of the proposed development. This conclusion is considered reasonable by the Council's Sustainability Team.

## 16.0 Planning Assessment

### Principle of Development

#### *Principle of BESS development*

16.1 Local Plan policy SUS2 imposes strong restrictions over development in the countryside outside of defined development boundaries, it states that having regard to the need for the protection of the countryside and environmental constraints development will be restricted, inter alia to "proposals for the generation of renewable energy or other utility infrastructure".

16.2 Policy COM11 provides specific support for proposals for generating heat or electricity from *renewable* energy sources noting such proposals will be allowed wherever possible providing that the benefits of the development significantly outweigh any harm. It further requires that:

1. "any adverse impacts on the local landscape, townscape or areas of historical interest can be satisfactorily assimilated;
2. the proposal minimises harm to residential amenity by virtue of noise, vibration, overshadowing, flicker, or other detrimental emissions, during construction, its operation and decommissioning;
3. adverse impacts upon designated wildlife sites, nature conservation interests, and biodiversity are satisfactorily mitigated."



16.3 These detailed matters are assessed in subsequent sections of this report.

16.4 Although not generating renewable energy the proposal would assist in managing supply and demand for renewable energy across the grid. Policy COM11 should be considered in conjunction with the Council's Climate and Ecological Emergency Strategy which recognises electricity will need to be generated from renewable energy, and that therefore, inter alia, it is also essential to be able to store energy locally and manage supply and demand. Whilst not all electricity stored by the BESS would be generated from renewable sources, the proportion from renewable sources would increase over the lifetime of the development given the targeted decarbonisation of the grid by 2035. It is noted that The Energy Act (2023) amends the Electricity Act (1989) to provide that generating electricity from stored energy is included as a definitive subset of generation.

16.5 Para. 157 of the NPPF specifically states that the planning system should support renewable and low carbon energy and associated infrastructure. Para. 162 notes that local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and that such applications should be approved if the impacts are (or can be made) acceptable.

16.6 There are three Grid Supply Points (GSPs) that supply Dorset with electricity. The GSPs act as the bridge between the high voltage electricity transmission system, operated by National Grid, and the distribution system operated by the district network operators. It is noted that the GSPs that supply electricity to Dorset also supply electricity to neighbouring areas within the south west. The GSPs supplying Dorset with electricity are: Axminster, Chickerell and Mannington. BESS developments have been proposed close to each GPS.

16.7 As infrastructure that will support renewable energy generation, the principle of development is consistent with the aims and objectives of relevant Local Plan policies and provisions of the NPPF summarised above subject to need for the protection of the countryside and environmental constraints.

#### *Principle of informal recreational space*

16.8 The proposals include informal recreational space together with sustainable urban drainage (SUDS) features linked to the BESS drainage strategy within Fields 5 and 6.

16.9 The principle of part of the application site being used for informal recreational use is supported in accordance with Chickerell Neighbourhood Plan Policy CNP10, which promotes opportunities to enhance informal recreational use of the designated Land of Local Landscape Importance (LLLI) which the application site forms part of.

#### **Best and most versatile agricultural land**

16.10 The Local Plan recognises that agricultural land is an important resource for

current and future populations. Policy ENV8 seeks to steer built development towards areas of poorer quality land where it is available. The NPPF (Para. 180) notes decisions should enhance the natural and local environment, including by recognising the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural (BMV) land. It further states in reference to plan making that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality and that the availability of agricultural land used for food production should be considered, alongside the other policies in the NPPF, when deciding what sites are most appropriate for development (Footnote 62).

16.11 The Applicant’s Site Selection Process report explains why the Chickerell Substation and application site were selected for the proposed development. In respect of agricultural land, the report notes that the majority of land within a 2km radius of the substation is either Grade 3 land (including sub-grades 3a and 3b) with smaller areas of Grade 4 land, AONB and urban land. This indicates that a development of the proposed scale within 2km of the Chickerell Substation would likely result in the loss of Grade 3 land, some of which may be Best and Most Versatile (BMV) land (i.e. Grade 3a or above).

16.12 A number of objections raise concerns with the loss of agricultural land and highlight concerns with food security. Chapter 4 of the Environmental Statement (ES) and the appended Agricultural Land Classification Report considers land take and soils. It identifies that approximately 49% of the site is BMV land. The breakdown is as follows:

<b>Agricultural Land Classification</b>	<b>Area (hectares)</b>	<b>Proportion of site (%)</b>
Grade 2	1.2	5%
Grade 3a	10.4	44%
<b>BMV sub-total</b>	<b>11.6</b>	<b>49%</b>
Grade 3b	6.6	28%
Grade 4	5.4	23%
<b>Non-BMV sub-total</b>	<b>12</b>	<b>51%</b>
<b>Total</b>	<b>23.6</b>	<b>100%</b>

16.13 The areas of BMV land are located within the south of the site (Fields 2, 3, and 4 – all Grade 3a) and in parts of the north east of the site (western part of Field 5 – Grade 3a and northeastern part of Field 6 – Grade 2).

16.14 Whilst built development of some BMV land is proposed, built development generally seeks to avoid areas of BMV through the location of the majority of BESS infrastructure within the north western part of the site (Field 1). No built development of Grade 2 land is proposed. Closest to the Chickerell Substation, BESS Compound 3 (Field 2) and customer substation (Field 4) fall within Grade 3a land.

16.15 Other than the landscaping and attenuation ponds, no built development is proposed within Fields 3, 5 and 6. These fields are not proposed to be retained in

agricultural use over the lifetime of the development, although there is potential for them to be used for pastoral grazing. The north eastern part of the site (Fields 5 and 6) would be landscaped to create a green space with public access, including a wildlife pond, permissive routes and seating area. Field 6 would accommodate woodland planting and landscaping. These fields would be rested from intensive agricultural use over the lifetime of the development.

16.16 Overall, there would be a temporary direct loss of 11.6ha of BMV land over the 40-year lifespan of the development plus the construction and decommissioning periods. Following the life of the development, the development would be dismantled and the land returned to agricultural use. The ES acknowledges that it can take several years to re-establish soil structures and biological communities. To ensure adverse effects on BMV land are time limited, decommissioning and restoration conditions would be required. With these conditions in place, the adverse effects on BMV land would be temporary (albeit long term). The temporary loss of BMV land through development of the site and associated loss of the natural capital and economic and food security benefits is therefore limited.

16.17 Within Dorset approximately 70% of land is estimated to have an Agricultural Land Classification of Grade 1-3, of which 4% has a grade 1-2 with the remainder falling within Grade 3 (including 3a and 3b). There is no detailed data for the area that quantifies how much of the Grade 3 land is Grade 3a, albeit mapping by Natural England does give an overview of likelihood.

16.18 Part ii) of Policy ENV8 states that where possible, the Council will steer built development towards areas of poorer quality agricultural land where it is available, except where this would be inconsistent with other policy and sustainability considerations. In this case, the site is well related to the Chickerell Substation and Point of Connection (POC) and is therefore a sustainable location for battery storage. Development to provide a 400MW battery storage facility would be consistent with Policy COM11 and would represent a sustainable alternative use of land given the high suitability for the proposed use and high proportion of Grade 3 land within the site selection study area. The limited loss of the BMV land therefore complies with Policy ENV8 and the adverse effects caused by the temporary loss of BMV land is considered to carry limited weight in the planning balance.

#### Landscape and visual impact

16.19 The application site falls within National Character Area (NCA) 138: Weymouth Lowlands, which is defined by its complex geology of a broad ridge-and-valley pattern of chalk, limestone and clay and associated landform, a dynamic coast and its cultural heritage. At a finer detail, the site falls within Ridge and Vale Dorset Landscape Character Type (LCT) an area of broad evenly spaced shallow ridges and valleys which follow a west-east alignment. They are enclosed and defined by the dramatic chalk escarpment to their north and the coast to their south.

16.20 The site is identified as Land of Local Landscape Importance (LLLI) within the West Dorset, Weymouth and Portland Local Plan and Chickerell Neighbourhood Plan. It is therefore considered a valued landscape wherein the NPPF (Para. 180)

explains decisions should contribute to and enhance the natural and local environment by inter alia protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

16.21 Local Plan Policy ENV3 confirms development that proposals would cause harm to LLLI's or would undermine the reasons for an area's inclusion within the network will not be permitted unless clearly outweighed by other considerations.

16.22 Chickerell Neighbourhood Plan Policy CNP10 notes the LLLI is a locally valued landscape and should be protected for the following qualities, in summary:

1. long views to the Dorset National Landscape (AONB) to the north;
2. rural setting for Chickerell and Radipole villages and wider rural backdrop to north-west Weymouth;
3. green wedge between Chickerell and Southill/Radipole; and
4. part of the north-south wildlife corridor.

(Note: assessment against these protected qualities are set out in the respective Landscape and Visual, AONB and Ecology assessment sections of this report).

16.23 Policy CNP 11 of the Chickerell Neighbourhood Plan states that development should be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character.

16.24 The West Dorset, Weymouth and Portland Local Plan confirms that development should be located and designed so that it does not detract from and, where reasonable, enhances local landscape character. Development that significantly adversely affects the character or visual quality of the local landscape will not be permitted (Policy ENV1).

16.25 The landscape and visual effects of the development must be considered with regard to the existing context and value of the site. The site is characterised by open agricultural fields with hedgerow field boundaries. An area of woodland sits within the south of the site close to the Chickerell Substation. There are a number of visual detractors within and in the immediate and wider vicinity of the site, including: the Chickerell Substation; associated electricity pylons (crossing parts of the site); the adjacent solar farm; small agricultural holdings and equestrian uses within the surrounding fields.

16.26 The BESS would have an operational lifespan of around 40 years. The LVIA ES Chapter notes that after this time, the equipment, fences, tracks and gravel areas will be removed and the platforms grassed over. The landform and mature landscape would remain.

### *Landscape*

16.27 The Landscape and Visual Impact Assessment (LVIA) submitted by the applicant considers the landscape quality and value of the site to be low to medium. These judgements are accepted, notably due to the landscape character of the site being influenced by existing infrastructure (Chickerell Substation, electricity pylons and solar farm) and the urban fringe character from the small holdings and associated buildings. Given this baseline, there is some scope for the site to

accommodate change whilst minimising adverse impacts on the landscape of the site and wider area.

16.28 In terms of the landscape effects on the site, the proposed development would substantially alter the character of the fields, replacing three arable fields (Fields 1, 2 and 4) with an engineered landscape of BESS infrastructure (Fields 1 and 2) and an electrical substation (Field 4), together with adjacent soft landscaping. The other three fields (Fields 3, 5 and 6) would be developed for biodiversity and open space. They would comprise woodland, scrub, grassland and SUDS infrastructure. Hedgerows would largely be retained, enabling the individual fields within the site to be perceived, albeit less readily compared to the existing arable fields.

16.29 The BESS infrastructure would have a cumulative effect on the landscape character of the site given the substantial increase in, generally low lying, energy infrastructure across it. The change would be moderated by proposed landscaping, including woodland planting, tree planting and earthworks/recontouring.

16.30 The recontouring and planting surrounding BESS Compound 1 within Field 1, and the existing and proposed landscaping around BESS Compound 2 within Field 2, would largely screen the proposed BESS infrastructure from users of the site (existing PROW and new permissive routes).

16.31 The change in character of the landscape would be perceptible by users of the existing PROW within the south of the site, particularly before planting has time to mature and more effectively screen the development. Over time, as landscaping matures, the adverse landscape effects of the BESS on the site would be limited. It is considered that the proposal would have a moderate adverse impact on the landscaping of the site within Year 1 of the development, which would reduce to minor adverse (not significant) from Year 10.

16.32 In terms of the character of the wider landscape character areas, the surrounding area is characterised by agricultural fields, energy infrastructure and urban fringe development. In this respect, the proposed development would be somewhat consistent with this existing landscape character, albeit the additional infrastructure would have a cumulative adverse effect on the wider landscape.

16.33 The changes to the landform in Field 1 will significantly reduce the visual influence of the BESS on the adjacent landscape. Woodland block planting and tree planting would largely screen the BESS infrastructure from the surrounding landscape, replacing the open arable character of the site. This would take time to mature.

16.34 Woodland within the Ridge and Vale Landscape Character Type is not characteristic. However, given there are pockets of woodland within and adjacent to the site which make a positive contribution to local character, the change in landscape character would not be entirely out of character: it would reinforce positive aspects of local landscape. The applicant's assessment of moderate adverse impacts within Year 1 and minor beneficial effect from Year 10 onwards are generally agreed.

16.35 The Landscape Officer considers that the adverse effects associated with the installation of the electrical infrastructure would be mitigated to a significant degree on the completion of the proposed changes to the landform and that the maturation of the extensive planting proposed would provide further mitigation in the medium to long term for the adverse effects of the electrical infrastructure as well as mitigation

for the adverse landscape impacts of the changes to the landform. The Officer notes the woodland planting would represent a managed change of landscape character which would not be of significant detriment.

16.36 The Landscape Officer concludes the development includes appropriate measures to moderate the adverse effects of the development on the landscape and would not result in a significantly adverse effect on the character of the local landscape.

16.37 The location of the built infrastructure within the site and landscape design, once matured, are not considered to detract from local landscape character or significantly adversely affect the character of the local landscape in the medium to longer term. From a landscape perspective, the proposal is considered to include appropriate measures to moderate the adverse effects of development in compliance with Policy ENV1 (parts ii and iii) and Chickerell Neighbourhood Plan Policy CNP11. The development of Fields 3, 5 and 6 for biodiversity and open space, together landforming and planting across the site would maintain a green wedge between Chickerell and Southill/Radipole and the rural setting of Chickerell and Radipole and wider rural backdrop to north-west Weymouth (i.e. two of the four qualities of the LLLI as identified above). Securing the recreational space within Fields 5 and 5 through a Section 106 Agreement would provide assurance that the green wedge would be sustained, at least for the lifetime of the development.

16.38 Chickerell Neighbourhood Plan Policy CNP10 notes the LLLI is a locally valued landscape and should be protected for the following qualities, in summary: long views to the Dorset National Landscape (AONB) to the north; rural setting for Chickerell and Radipole villages and wider rural backdrop to north-west Weymouth; green wedge between Chickerell and Southill/Radipole; and part of the north-south wildlife corridor. The proposal is not considered to harm the landscape qualities specified in Policy CNP 10 given it would sustain a rural setting and a green wedge between Chickerell and Southill/Radipole.

16.39 In landscape terms, the proposals accord with Policies ENV1, ENV3, COM11 of the Local Plan, Policy CNP10 and CNP11 of the Chickerell Neighbourhood Plan and the NPPF.

#### *Visual Impact*

16.40 The LVIA assesses the visual impact of the development from 21 representative viewpoints. These viewpoints were agreed with officers during pre-application engagement and include a series of close range, medium distance and long distant views.

16.41 During construction, the LVIA identifies significant adverse visual effects to five viewpoints (Views 1, 2, 3, 4 and 6). For all but one of these viewpoints (No. 6: rural footpath S16/21 as it enters the southwest corner of the site), the visual effect following completion of earthworks is assessed as reducing to moderate adverse (not significant) when the earthworks have been completed due to the earthworks screening the majority of the site. This includes the three viewpoints from Coldharbour (Views 1, 2 and 3) where traffic and traffic management would remain clearly visible but wider construction activities would be screened. At View 6, the construction activities across the site would be clearly visible throughout construction. The LVIA also assesses that there would be moderate adverse (not

significant) effects from seven other viewpoints during construction (Views 7, 8, 10, 11, 12 15 and 17). All adverse effects during construction would be temporary.

16.42 During operation of the development, visual impacts would result from the changes in land use, topography, introduction of additional electrical infrastructure and soft landscaping including woodland and tree planting. The LVIA assesses impacts at Year 1 (immediately after construction) and 10 years after construction.

16.43 At Year 1 the LVIA identifies significant adverse effects to two viewpoints (Views 6 and 7) along rural footpath S16/21 as it enters the southwest corner of the site (View 6) and passes to the south of the site (View 7). At Year 10, the visual effect is assessed as reducing to minor adverse for View 6 and moderate adverse for View 7 (i.e. not significant). The residual adverse impact would be for a short section of the footpath.

16.44 The LVIA also assesses that there would be moderate adverse (not significant) effects from six other viewpoints at Year 1 of operation (Views 3, 8, 9, 15, 16 and 17). At all but one of these viewpoints (View 8: rural footpath S16/21 as it passes to the southeast of the site), visual effects are assessed as reducing to either neutral (Views 3 and 15) or minor adverse (View 9) or improving to minor beneficial (View 16 and 17) at Year 10. At View 8, a moderate adverse (not significant) effect is identified at Year 10.

16.45 The LVIA considers cumulative adverse effects in association a now refused 60MW BESS application to the east of the site, and the residential-led mixed use development to the east of Chickerell. At Year 1 the LVIA identifies significant adverse effects at two viewpoints (Views 6 and 7) along rural footpath S16/21. At Year 10, the visual effect at both viewpoints is reduced to minor adverse (not significant). Following the refusal of the 60MW BESS in March 2024, the proposal no longer comprises a cumulative development against which the impacts of this development need to be assessed. Taking this refused scheme into account, the LVIA does not identify any significant adverse impacts after 10 Years.

16.46 The Landscape Officer notes that the proposal is likely to generate significant adverse visual effects during construction. The Officer notes that the extensive woodland planting, when mature, would largely screen the development and would provide visual enhancements for existing development of poor quality (i.e. the adjacent solar farm). The officer concludes that the development would not significantly adversely affect visual amenity.

16.47 Whilst there would be significant adverse effects during construction, at Year 1 of operation, significant adverse effects would be limited to two viewpoints (Views 6 and 7) along rural footpath S16/21. The section of footpath between these two viewpoints is approximately 250m and takes less than 5 minutes to walk. From both viewpoints, and along the route, footpath users are aware of existing electrical infrastructure in the surrounding area (electricity pylons and the Chickerell Substation). The proposed development, including earthworks and BESS infrastructure, would be a noticeable new feature in this urban fringe landscape. However, the development would not be a framed view, and the adverse visual impact of the development would only be experienced during a short period of time. Following establishment of landscaping after 10 years visual impacts would not be significant. It is acknowledged that 10 years represents a significant amount of time wherein the significant adverse effects would be experienced.

16.48 From a visual impact perspective, the proposal is considered to include appropriate measures to moderate the medium and long term adverse visual effects of the development in compliance with Policy ENV1 (parts ii and iii) subject to securing appropriate landscaping and maintenance via planning condition. The temporary adverse visual effects in the shorter term are afforded moderate weight in the planning balance.

16.49 Notwithstanding the adverse effects, the applicant proposes to provide public access to Fields 5 and 6 and create new permissible paths across the northern part of Field 1 and north/south from Coldharbour to link with existing footpaths S16/20 (to the north of Coldharbour) and S16/21. These new routes would provide new public viewpoints across the site, helping to compensate for the visual harm during construction and the first 10 years of operation.

#### Dorset National Landscape (AONB)

16.50 December 2023 amendments to the Clause 85 of the Countryside and Rights of Way Act 2000 (CROW) require relevant authorities (including Local Planning Authorities) to “seek to further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty” (rather than “have regard to...”) in relation to land in an AONB.

16.51 The NPPF (Para 176) states that great weight should be given to conserving and enhancing landscape and scenic beauty within AONBs and that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

16.52 Policy ENV1 of the West Dorset, Weymouth and Portland Local Plan states that development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including their characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.

16.53 Partial views of the site are possible from the Dorset National Landscape (AONB). As noted in the assessment section above, no significant adverse visual effects are anticipated from the six viewpoints within the Dorset National Landscape (AONB) (View 16-21) at Year 10. However, the LVIA identifies there would be a moderate adverse (not significant) visual effect from View 17 (Bincombe) during construction and moderate adverse visual effects at Views 16 (Crook Hill) and 17 (Bincombe) at Year 1.

16.54 From the two longer range views to the south of the site (View 9 and 15), the Dorset AONB is only visible from View 15. From viewpoint 15 the majority of Chickerell Substation is screened by earthworks, buildings and trees. Associated electricity pylons are visible and the escarpment of the Dorset AONB form a backdrop. The application site would be partially visible alongside the adjacent solar farm, residential areas and the Granby Industrial Estate. The LVIA identifies the view as having a high sensitivity due, in part, to it affording views of the AONB. The LVIA concludes the proposal would have a moderate adverse effect (not significant) at Year 1 and a neutral effect at Year 10. Due to the distance, and as the site would be seen in the context of urban development and infrastructure, the development is not considered to harm views into the AONB.

16.55 The Landscape Officer comments that the LVIA evidences the proposed earthworks would screen the development from viewpoints within the Dorset AONB



to the north of the site (Views 17-21). The Officer considers the woodland planting may have a minor beneficial effect on visual amenity from these viewpoints given it would screen parts of Granby Industrial Estate which sit in the backdrop of these views. From the Viewpoint within the Dorset AONB to the south west of the site (View 16: Crook Hill), the landscape officer considers the site would be visible in the context of existing industrial, residential and electrical infrastructure development and would have a minor adverse impact which would diminish as the proposed woodland planting matures. Overall, the Landscape Officer has no objection and considers the proposal would not harm the character, special qualities or natural beauty of the Dorset AONB.

16.56 The Dorset AONB Team notes construction would be discernible from the AONB viewpoints and that it is foreseeable that operational effects on views from the north would be low and capable of mitigation through the proposed planting. Similarly, the AONB Team note the view from Cook Hill (View 16) would be seen in the context of urban development and infrastructure.

16.57 The Dorset AONB Team note that publicly accessible locations close to the site that are most affected (footpath S16/21) do not appear to afford notable views of the AONB. This is evidenced by the baseline photography of Views 5-7 (along the footpath) and the rendered AVRs from View 6. The viewpoints do not afford long range views to the Dorset AONB to the north. Accordingly, the proposal would not affect 'long views to the Dorset AONB to the north' one of the identified qualities of the designated LLLI (Chickerell Neighbourhood Plan Policy CNP10).

16.58 Overall, the proposed development is not considered to harm the character, special qualities or natural beauty of the Dorset National Landscape (AONB) in accordance with Policy ENV1 and the NPPF.

#### Rights of Way

16.59 Part v) of Local Plan Policy COM7 states that development should not result in the severance or degradation of existing or proposed rights of way (PROW). Where development degrades the attractiveness of a route, compensatory enhancements will be sought such that there is a net improvement to the PROW network.

16.60 As identified within the landscape and visual impact section above, the proposal would result in adverse visual impacts for users of public footpath S16/21 at four viewpoints (Views 5-8). Whilst the quality of this route is compromised by existing electricity infrastructure, the proposed development would further degrade the attractiveness of the route. This degradation would lessen over time as planting within Field 3 matures. The proposed planting includes a hedgerow to the north of the footpath which in itself would limit views to the north and degrade the open character of this part of the footpath.

16.61 The proposed creation of new permissible paths across the northern part of Field 1 and 6 (to the south of Coldharbour) and north/south from Coldharbour to link with existing footpaths S16/20 (to the north of Coldharbour) and S16/21 would compensate for the degradation of footpath S16/21 and would provide a safe pedestrian route to the south of Coldharbour given it does not have a pedestrian footway. Whilst the permissive route north/south through the site would be heavily influenced by electrical infrastructure, this would not be uncharacteristic of the existing S16/21 footpath between Chickerell and Southill. The informal recreational space within Fields 5 and 6 would also create new informal routes.

16.62 To ensure adequate compensation in accordance with Policy COM7 it is reasonable and necessary for the permissive routes and informal recreational space to be secured via a Section 106 legal agreement. The agreement must define the new permissive routes and recreational space (as shown on the Proposed Landscape Plan) and ensure they remain available for use by members of the public. With the legal agreement in place, the proposal accords with Policy COM7 and would enhance the PROW network.

#### Noise and residential amenity

16.63 Local Plan Policy ENV16 states that proposals should be designed to minimise their impact on amenity and quiet enjoyment of both existing and future residents and that proposals will only be permitted where they do not have a significant adverse effect on residents or significantly detract from the character and amenity of the area or the quiet enjoyment of residential properties. Policy COM11 (Renewable Energy Development), notes that proposals for generating electricity from renewable sources will only be permitted, inter alia, where the proposal minimises harm to residential amenity by virtue of noise, vibration, or other detrimental emissions, during construction, operation and decommissioning.

16.64 The closest existing dwellings (on Coldharbour) are located approximately 100m from the closest BESS containers and 20m north of the site boundary within BESS Compound 1. The residential-led mixed use development site to the east of Chickerell is approximately 50m from the closest BESS container and approximately 30m south east of the site boundary with BESS Compound 3.

#### *Construction*

16.65 Noise and vibration impacts during construction and operation are assessed within Volume 8: Noise Impact Assessment (NIA) of the ES. The NIA identifies and assesses noise and vibration from a series of 'noise and vibration sensitive receptors' (NVSR) around the site at Coldharbour Road (NVRS B & C), Woodlands Way Road (NVRS D), Edwards Court Road (NVRS E), Lower Putton Lane (NVRS F), Grafton Avenue (NVRS G) and the residential-led mixed use development site to the east of Chickerell (NVRS A). Long term sound monitoring was undertaken at two locations over a two week period to establish background noise, one in the centre of the site (LT1) and one on Coldharbour Road (LT2).

16.66 During construction the NIA concludes ambient noise levels would be below 55 dB LAeq1 and below the identified significant threshold at all NVSRs. The NIA notes that some activities have the potential to exceed the noise level criteria at close receiver distances. The assessment sets out a series of mitigation measures and best practice guidance to minimise noise and vibration effects where possible.

16.67 In respect of vibration, the NIA notes that vibration associated with earthworks may be perceptible for brief periods, but not significant. Piling is expected to be required in relation to the substation. Due to the location of the substation within the centre of the site +200m from the closest NVSR it is not anticipated that piling would generate significant vibration effects at the NVSRs.

16.68 Overall, with mitigation in place, noise impacts during construction are not predicted to give rise to significant adverse amenity impacts in accordance with Policy ENV16.

16.69 A planning condition securing a Construction Environmental Management Plan (CEMP) is proposed in the interests of residential amenity.

#### *Operation*

16.70 Noise will be generated during the operation of the development by various equipment within the compounds and substation, including: transformers; BESS containers; inverter transformers; and inverter buildings. The only source of tonal noise is from the grid transformers.

16.71 The NIA identifies that during the daytime at proposed residential receptor NVSR A (East Chickerell housing site) noise levels would be +1dB above background (41dB  $LA_{90,T}$  vs. 42dB  $L_{Ar,Tr}$ ) and +2dB above background at nighttime (37dB  $LA_{90,T}$  vs. 39dB  $L_{Ar,Tr}$ ). At all other receptors the predicted rating levels are between -6 and -13dB below background sound levels during daytime and between -4 and -5dB below background sound levels during nighttime. During daytime and nighttime no increases above baseline residual ambient sound levels ( $L_{Aeq,T}$ ) are found to occur at any receptors. Whilst combined noise levels are predicted to exceed the 55/42 dB  $L_{Aeq,T}$  noise level specified in WHO guidance during daytime/nighttime, the threshold is already exceeded and the proposed development is not predicted to result in the absolute noise level increasing at any of the NVSRs.

16.72 In January 2024, the EHO advised no objection subject to planning conditions in respect of noise mitigation measures and testing during operation of the development. Mitigation measures are subject to detailed design. They are to include standard acoustic solutions for the grid transformers and air inlets/outlets of the inverter buildings (the noisiest parts of the development). With mitigation measures proposed to be secured via planning condition the proposal would not have a significant adverse impact on residential amenity in accordance with Policy ENV16 of the West Dorset, Weymouth and Portland Local Plan.

16.73 Policy ENV16 also states developments will only be permitted where they do not generate a level of noise that will detract significantly from the character and amenity of the area. PROW S16/21 runs east to west through Field 3 close to the southern boundary of the site. It is approximately 150m from the closest BESS equipment. Along the route, existing noise from the Chickerell Substation and overhead powerlines are audible.

16.74 Whilst noise impacts have not been assessed on users of the PROW it is assumed, on a precautionary basis, that users would experience elevated noise levels similar to NVSR A. The NVSR is located closer to the BESS compound than the PROW. Slightly elevated noise levels would only be experienced for a short period of time whilst following the footpath. The proposal is not therefore considered

to generate a level of noise that would significantly detract from the character or amenity of the area. Furthermore, a network of permissive routes and publicly accessible informal recreational space are proposed across the site to compensate for the degradation of the route due to landscape and visual harm (as assessed above).

16.75 A number of representations raise concern with the perceived impact of the development on mental health, predominantly due to the fear of a fire occurring and anxiety of it being close to residential properties. Based on the representations it is accepted that the development may cause some fear and anxiety in some people, included because BESS' are a relatively new form of technology. Such concerns are not unique to BESS developments and may arise in respect of other forms of development such as solar farms and 5G infrastructure. For the reasons set out in the health and safety assessment section of this report, health and safety aspects have been rigorously assessed and the development is considered acceptable in this regard. Furthermore, as proposed planting and landscaping establishes, visibility of the BESS infrastructure will reduce over time, thereby reducing the perception of the site and potentially associated fear and anxiety.

16.76 Subject to planning conditions, the proposals accord with Policy ENV16 and would avoid significant harm to residential amenity in accordance with Policy COM11.

#### Biodiversity and trees

16.77 The application is informed by an Arboricultural Impact Assessment (AIA), Biodiversity Plan (BP), Landscape and Ecological Management Plan (LEMP), Ecological Impact Assessment, Biodiversity Net Gain Report and Shadow Habitats Regulations Assessment. The ecological studies are underpinned by ecological surveys of: badgers; bats; breeding birds; wintering birds; barn owls; great crested newt; hazel dormouse; otter and water vole; reptiles; brown hare; and vegetation surveys.

16.78 As the site is predominantly in arable agricultural use, the most existing ecological value of the site lies in the hedgerows along field boundaries and the woodland and ponds within the centre of the site. The arable land has limited ecological value and constrains opportunities for wildlife corridors across the site. As a result there is scope to improve the ecological value of the site through the creation of more biodiverse habitats outside of the areas of built development.

16.79 The proposals would result in the loss of 180m of Category C (low quality) hedgerow consisting of elm, field maple, goat willow and hawthorn to facilitate access between the fields and two sections of Category C (low quality) tree groups (G1 within Field 4 and G15 within Field 2) totalling 200sq.m are proposed to be removed to facilitate access and the proposed cable connection to the Chickerell Substation. The removals are not considered to have a significant impact on the amenity of the site and would be compensated for through extensive replacement planting as indicated on the proposed Landscape Plan (ref. 521-LP-01-Rev B). Minor

tree works and works within the root protection areas of existing trees are also proposed. Subject to securing replacement planting and an Arboricultural Method Statement via planning condition, the proposals are acceptable in respect of tree impacts.

16.80 The BP and LEMP establish ecological objectives for the site, including increasing ecological corridors across it. Extensive woodland planting is proposed around both BESS compounds and blocks of woodland are proposed in the south and north east of the site. The woodland serves a dual function in providing necessary landscape screening and biodiversity improvements. Overall, the LEMP concludes that the proposed development will not result in the loss of any habitats of significance apart from the loss of small sections of hedgerow totalling 180m to facilitate pedestrian and vehicle access. The conversion of farmland to more biodiverse habitats is considered to compensate for the loss of land to electrical infrastructure.

16.81 The application is supported by a Biodiversity Plan (BP) that has been agreed by the Council's Natural Environment Team (NET). The BP outlines a range of measures to protect biodiversity and deliver biodiversity improvements, in summary:

- i. Grassland enhancements, scrub creation and a new woodland buffer planting, including the planting of scattered trees and creation of suitable grassland habitat for breeding skylarks, to be managed via low intensity sheep grazing or a mowing regime and restrictions on public access during bird breeding season;
- ii. Infilling of existing hedgerows using native hedgerow species and creation of approximately 550m of new species-rich hedgerows across the site;
- iii. Ecological lighting strategy and creation of 'dark corridors' around existing hedgerow and woodland;
- iv. Construction Environmental Management Plan (CEMP) to reduce adverse impacts associated with construction (notably dust);
- v. Tree and hedgerow protection measures during construction;
- vi. Precautionary measures in respect of great crested newts, hazel dormouse and reptiles;
- vii. Management and maintenance of habitats;
- viii. Erection of bird boxes (No. 12), bat boxes (No. 8) and a barn owl box; and
- ix. Provision of log piles (No. 7), a pyramid logger, reptiles hibernacula (No. 6) and a bee bank.

16.82 The Accompanying Biodiversity Net Gain Report, based on an earlier iteration (Version 4.0) of the biodiversity metric, demonstrates that the proposals would result in a 29.92% increase in Habitat Units and 18.84% increase in Hedgerow Units. This substantially exceeds the 'measurable net gain' that needs to be demonstrated

under planning policy (note: the application was submitted before the requirement to demonstrate a 10% biodiversity net gain (BNG) came into effect). Accordingly, the biodiversity enhancements represent a substantial increase above current policy requirements and the existing ecological value of the site. In the context of a declared climate and ecological emergency, the net gain is a moderate benefit to be weighed in the planning balance. Natural England raises no objection to the proposed development.

16.83 One of the four identified qualities of the LLLI north and east of Chickerell Village is the role it plays as part of the north-south wildlife corridor from Radipole Lake SSSI (Chickerell Neighbourhood Plan Policy CNP10). Radipole Lake is designated for its wetland habitats which are identified as being of great importance for birds as a breeding, wintering and passage site. The application site forms part of the LLLI along with other surrounding land. The land currently plays a limited role as a wildlife corridor due to it largely comprising arable agricultural fields, with some woodland, hedgerows and trees. The proposals include substantial areas of new woodland and tree planting across the site, including north-south through the site adjacent to the BESS compounds. This would link with existing woodland within Field 3 and enhance the role the site plays as part of the north-south wildlife corridor from Radipole Lake SSSI. Accordingly, the proposal would protect and enhance this identified quality of the LLLI in accordance with Policy CNP10 and Policy CNP4.

16.84 NFCC guidance recommends areas within 10m of battery containers should be cleared of combustible vegetation and any other vegetation should be kept in a condition that doesn't increase fire risk. The proposed landscape scheme shows planting would be beyond 10m. However, there is potential for vegetation to encroach into the 10m zone over time as it establishes. Landscape management and maintenance would therefore be needed to be secured via planning conditions to ensure compliance with NFCC guidance and to ensure the ecological objectives of the BP and LEMP.

16.85 Subject to these planning conditions the development is acceptable from a biodiversity perspective in accordance with Policies ENV2 and COM11 of the West Dorset, Weymouth and Portland Local Plan and the Policy CNP12 of the Chickerell Neighbourhood Plan.

### Highways

16.86 The application is accompanied by a Transport Assessment and Abnormal Indivisible Load Access Report. Construction traffic impacts have also been assessed within the ES (Volume 7: Construction Traffic Impact Assessment).

16.87 Vehicle access to the site would remain from Coldharbour via the existing hard surfaced access track which leads north/south through the site and serves nearby agricultural holdings and equestrian plots. The applicant has undertaken vehicle access tracking / swept path analysis of the access from Coldharbour. The analysis has informed proposed design changes to the site access so that it is able to accommodate the largest abnormal load vehicle. The changes include widening of the access, relocating the access gates serving the track 20m from the edge of the

highway and relocation of existing telegraph pole. Subject to the completion of the proposed access works, the access is considered suitable and does not raise highway safety concerns. Planning conditions to ensure appropriate access construction and visibility splays are proposed.

16.88 There would be traffic impacts during construction of the development and very infrequent vehicle movements when the site is in operation.

16.89 Construction is anticipated to take 18 months and is expected to involve an average of 12 two-way HGVs (tippers, flat-beds and articulated) trips per day and 44 workforce vehicles (cars, vans and mini-busses) during peak construction (months 12 and 13). The Transport Assessment reports that the largest vehicle that will be used to deliver equipment to the site on a day-to-day basis during the construction period will be a 16.5m articulated vehicle. HVG movements to and from the site are proposed to be restricted to only take place between 09:30-15:00 so as to avoid the school run and rush hour. Larger vehicles, as reported in the Abnormal Indivisible Load Report, would be required in order to deliver the 112 tonne transformer. Temporary car parking for construction workers would be provided within the site with construction worker trips peaking during 7-8am and 6-7pm (31 trips). The ES concludes that the proposals would not result in any significant transport and access effects during construction.

16.90 The Transport Assessment and Construction Traffic Management Plan (CTMP) propose that construction vehicle routing would be from the A354 Chafeys Roundabout Junction to the site via Granby Way/B3157, Glennie Way/Putton Lane and Coldharbour. When leaving the site construction vehicles would follow the reverse of the route. Within the site a 5.5m site access track is proposed. The CTMP also sets out proposals for surveys of the highway network to ensure any damage resulting from the development is addressed.

16.91 Other measures to manage deliveries, as set out within the CTMP include an advanced booking system, signage and the management of deliveries by banksmen and temporary traffic lights. Measures such as wheel washing are also required to minimise debris on the highway. In order to minimise the impact of construction traffic on the surrounding highway network a final CTMP is proposed to be conditioned, including details of wheel washing facilities. This requires that inspection of the highways serving the site prior to work commencing and at regular intervals during the construction stage,

16.92 Subject to planning conditions, the highway related impacts of the development are acceptable, can be appropriately managed and accord with Policy COM7 and the NPPF (Para. 114). The development would not have an unacceptable impact on highway safety and the residual cumulative impact on the road network would not be "severe" where considered against the NPPF (Para. 115).

#### Health and safety

16.93 Fire risk and associated impacts are the principal reason for objection raised by members of the public and third parties.

16.94 The NPPF notes Local Planning Authorities must determine applications on planning grounds only. Whilst fire risk can be associated with almost all types of development it is not routinely assessed at the planning application stage as potential implications are managed under other regulatory frameworks and regimes, such as Building Regulations and the Environmental Protection Act. However, given

the nature of the development, providing Lithium-Ion battery storage, health and safety is a material planning consideration so far as it relates to land use planning. It should also be noted that the proposal does not constitute a building for the purposes of the Building Regulations, and so the requirement to comply with the fire-related aspects of Building Regulations does not apply.

16.95 The NPPF notes Local Planning Authorities should “consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them” (Para. 45). Appropriate bodies have been consulted in respect of health and safety matters. The application falls within the consultation distance zones of a high pressure pipeline. Accordingly, HSE advice has been sought and utility companies have been consulted. HSE has confirmed it does not advise against the development and has no further comment on the application.

16.96 Of relevance to health and safety considerations is Planning Policy ENV16, which notes inter alia that development proposals will only be permitted provided “they do not generate unacceptable pollution, vibration or detrimental emissions unless it can be demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard”.

16.97 The NPPF more generally promotes healthy places and notes decisions should “promote public safety and take into account wider security and defence requirements” (Para. 101). In respect of pollution, the NPPF states decisions should also ensure “new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development...” (Para. 191).

16.98 National Planning Practice Guidance establishes guidance to Local Planning Authorities in the assessment of applications for battery storage (034 References ID: 5-034-20230814 and 035). It recommends consultation with the local Fire and Rescue Service (FRS) and consideration of guidance for FRS’ published by the National Fire Chiefs Council (NFCC) entitled ‘Grid Scale Battery Storage System Planning’.

16.99 The NFCC guidance recognises BESS developments are a fundamental part of the UK’s move toward a sustainable energy system and recognises the potential for fire. It notes the NFCC’s expectation is that a comprehensive risk management process must be undertaken by operators to “identify hazards and risks specific to the facility and develop, implement, maintain and review risk controls. From this process a robust Emergency Response Plan should be developed.” The guidance is wide ranging. It includes a number of recommendations relevant at the planning stage (such as access and layout) as well as detailed design and site management recommendations (such as venting and signage). The guidance explains that every BESS development is different and states a FRS should not limit themselves to the content of the guidance noting reference may be made to other guidance and standards including the internationally recognised guidance of the National Fire Protection Authority (NFPA) (2023) – Standard for the Installation of Stationary Energy Storage Systems (‘NFPA855’).

16.100 In accordance with the Council’s consultation protocol, the FRS has been consulted. The applicant assesses fire risk within the ES (Volume 9). This includes a



Fire and Plume Study (Appendix 1) and Fire Liaison Framework (Appendix 2). Given the scale of development and extensive third party concerns related to fire risk, the Council instructed a third party consultant (Hydrock) to: determine and evaluate whether the fire risks stated by the applicant are reasonable; and assess whether the impacts of a fire at this BESS site, as stated by the applicant, are reasonable, including fire spread to neighbouring buildings, fire service provisions and occupant safety.

16.101 The applicant has amended the proposals over the course of determination in response to initial comments and concerns raised in relation to fire risk, including by the FRS and Hydrock. Key updates include: providing two forms of access to the site; creating passing places on the access routes and between battery rows; adjustments to landscape design to ensure proposed planting is set a minimum of 10m from battery containers; and creation of an emergency services. The applicant has also committed to a BYD energy storage system (MC Cube Energy Storage System) and submitted the BYD Safety Manual, strategy (MC Cube ESS Fire Control Technology Plan) and datasheets of the proposed equipment.

16.102 The proposed BYD MC Cube Energy Storage System (ESS) contains 10 MC Cubes (five on each side), each consisting of 416 Lithium Iron Phosphate (LFP) cells.

16.103 Overall, Hydrock's peer review of March 2024 concluded the potential impacts of fire to neighbouring sites that are addressed within the ES have been demonstrated to either not to bear a sufficient level of risk or that they have been appropriately mitigated. The review made a number of recommendations, noting that a number of matters would be determined at the detailed design stage and requested further information in order to enable fire risks to be more fully considered. A number of the matters raised have a bearing on the proposed site layout, for which planning permission is sought.

16.104 The key aspects that affect the proposed development at planning stage are considered in turn:

#### *Detection and monitoring*

16.105 Hydrock's peer review noted that the applicant should detail the fire detection system specification and operation at the detailed design stage, including the specific operating parameters of detectors, how they are monitored and the response to a detection event.

16.106 In response, and following selection of the battery manufacturer, the applicant submitted the BYD Safety Manual, MC Cube ESS Fire Control Technology Plan and fire detection datasheets for the equipment. This confirms the proposed BYD MC Cube Energy Storage System (ESS) contains 10 MC Cubes (five on each side), each equipped with its own humidity, water, smoke and heat detectors calibrated to detect early signs of fire within the MC Cube. Each BESS container would have its own battery management system that provides information on the

energy capacity, thermal status and detection systems that reports to a controller which is responsible for management of each battery container. Each controller would then connect up and report to an overall site control unit and off-site controller. Each MC Cube ESS is fitted with both an audible fire alarm and visual fire strobe light. The site boundary would be monitored via CCTV.

16.107 In the event of an emergency, the MC Cube ES can be shut down locally or remotely. A system shutdown would result in electrical isolation of the battery strings and stop the battery charging or discharging.

16.108 Hydrock has confirmed that in their view the submitted information provides detailed information of the design regarding the detection system specification that is sufficient for the planning application.

#### *Suppression systems*

16.109 The BESS containers include a series of mitigation measures to reduce the risk of a fire occurring, thermal runaway taking place and fire spreading. Measures include: cooling systems to keep battery temperatures low; controls to stop the charging of batteries should certain temperatures be reached; pulsed aerosol systems initiated on sensing heat and smoke. Measures are proposed for each of the 10 MC Cube units within each BESS container. Hydrock advise that in their view the information is sufficient for the planning application albeit without the detailed test date/information Hydrock is unable to comment on the effectiveness of the suppression system.

#### *Deflagration (explosion) prevention and venting*

16.110 The BYD Safety Manual confirms the BESS containers would have an off-gassing valve and the MC Cube ESS Fire Control Technology Plan demonstrates that ventilation systems are included in the design. The flammable gas detector is calibrated to 25% of the lower explosive limit (LEL) in accordance with NFCC guidance. If the flammable gas detector is triggered, alarms would be activated and the off-gassing valve would open for exhaust. Hydrock advise that in their view the information is sufficient for the planning application.

#### *Access*

16.111 Access has been amended over the course of determination to respond to comments from the FRS in respect of site access. The revised layout incorporates a secondary emergency access track along the western side of the site allowing full circulation between battery rows and BESS compounds. It also includes passing places across the site and between battery rows. This complies with NFCC guidance which advises sites should include at least two separate access points to account for opposite wind directions/conditions. All BESS compounds can be accessed via the east or west and the circulatory access track allows vehicles to route either from the north or south. Access routes are suitably sized and comply with NFCC guidance.

### *Spacing of BESS containers*

16.112 BESS containers are proposed to be spaced 3m apart. This falls below the suggested 6m minimum standard identified within the NFCC guidance. However, the guidance notes reduced spacing can be introduced where suitable design features are proposed, in which case a “clear, evidenced based, case for the reduction should be shown”. The referenced FM Global (2017) Property Loss Prevention Data Sheets: Electrical Energy Storage Systems document explains spacing can be reduced where there is adequate thermal barrier between battery enclosures. However, this document is out-of-date and has been superseded. The latest (July 2023) version includes reduced recommended separation distances.

16.113 To support the proposed separation distance of 3m, the applicant has provided assessment within the ES and fire testing information of the proposed battery. This presents computational fire dynamics (CFD) modelling of fire to assess fire spread within and between BESS containers. It shows that if all battery racks on one side of a battery container are on fire, then the heat generated on containers 3m away, in the worst-case wind conditions, are not sufficient to heat the neighbouring container to a level that might initiate thermal runaway. Hydrock note that the calculated heat at an adjacent BESS container is  $7.5\text{kW/m}^2$ , against an acceptance criterion of  $35\text{kW/m}^2$ . Hydrock agrees that the heat of  $7\text{kW/m}^2$  represents a low risk of fire spread between containers, and is a betterment over the standard criterion of the Building Regulations for building-to-building fire spread ( $12.6\text{kW/m}^2$ ). Therefore, Hydrock agrees that the likelihood of BESS-to-BESS fire spread on site is low.

16.114 Following requests from Hydrock, the applicant has provided UL9540A testing results. The test, recommended by NFCC guidance, assesses fire safety hazards associated with propagating thermal runaway within battery systems by forcing a battery cell into thermal runaway. Whilst the proposed containers are separated by steel enclosure walls, they are not formally fire rated. However successful UL9540A test results demonstrate that fire does not spread between the specified enclosures in the event of a thermal runaway. On this basis, further thermal barriers and insulation are not considered necessary as the applicant has demonstrated through an evidence based approach that the BESS containers are adequately spaced. This is on the basis of the proposed batteries and specification, which are proposed to be secured via planning condition.

16.115 The FRS' response of January 2024 (prior to a BESS manufacturer being specified) notes that “on the basis that procurement of the battery units includes an ongoing assessment of the suitability of the fire engineered solution regarding spacing of containers, DWFRS are satisfied this achieves the objectives of NFPA 855.”

*Distance from BESS containers to occupied buildings, site boundaries and other infrastructure*

16.116 The impact of a fire event to a neighbouring site has been assessed for three possible fire scenarios: a single battery cabinet (rack) fire which does not spread; fire spread to 5 battery cabinets; and fire spread to all 10 battery cabinets in a battery container (i.e. one BESS container). The applicant has assessed these scenarios in relation to the neighbouring housing (existing and proposed) and commercial use.

16.117 In respect of distance to residential properties, the NFCC guidance notes distances between BESS container and occupied buildings/site boundaries will vary. It recommends an initial minimum distance of 25m prior to any mitigation and notes reduced distances may be possible in rural settings. Notwithstanding the proposed mitigation, the closest existing residential property is located approximately 100m from the closest BESS container, four times further than the NFCC guidance. The residential-led mixed use development site to the east of Chickerell is approximately 50m to the south east, double that of the NFCC guidance. This indicates the site is appropriately sited in relation to residential properties. The buildings on the commercial site are approximately 20m from the closest BESS container. Whilst this falls below the initial minimum distance of 25m, the proposal includes significant mitigation and the site can be considered a lower risk rural setting for which the NFCC guidance notes reduced distances may be possible.

16.118 The computational fluid dynamic (CFD) analysis undertaken by the applicant included six fire scenarios. All scenarios consider wind blowing towards the nearby houses and employment use for average and extreme wind speeds (6m/s and 12m/s). The CFD modelling considers impacts of reduced visibility, hydrogen fluoride and thermal radiation. It concludes that hydrogen fluoride plumes would be limited to the proximity of the site and the immediacy of a fire in all scenarios. Visibility impairments would be localised to the immediate vicinity of the BESS compound and visibility off-site (i.e. along Coldharbour or neighbouring properties) would not be impacted as a result of smoke. Hydrock confirms that the CFD analysis justifies the layout and determines that the likelihood of fire spread beyond the site boundary is low.

16.119 In response to comments from Hydrock that the separation distance between BESS containers and other site critical infrastructure should be reviewed, the applicant has confirmed that separation between transformers would be greater than 15m in line with British Standard EN 61936.

16.120 Given the agricultural nature of surrounding land uses, the closer proximity to the west is considered to accord with guidance.

*Landscaping*

16.121 The proposals have been amended to ensure all vegetation is set a minimum of 10m away from the nearest battery containers. A planning condition is proposed to ensure that vegetation is maintained in accordance with NFCC guidance and doesn't impinge within 10m of BESS containers.

### *Water supplies*

16.122 In respect of water supply, NFCC guidance recommends that hydrant supplies should be located close to BESS containers (minimum 10m) and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours (i.e. 228,000 litres capacity). Wessex Water has confirmed the closest fire hydrant on Coldharbour Road has a flow rate of 8.5l/second (510 litres per minute). As this falls significantly below recommended guidance the applicant has proposed that four fire water tanks are placed across the site. Each tank has a capacity of 58,000 litres, equating to a total capacity of 232,000 litres. The water tanks are proposed to be connected and pumped to perimeter piping across the site, with hydrants maintained in line with the proposed Fire Liaison Framework and Emergency Response Plan. Hydrock has confirmed the proposal meets NFCC guidance in respect of water supply.

16.123 The provision of water tanks prior to installation of any battery containers, and maintenance thereafter for the lifetime of the development, is proposed to be secured via planning condition.

### *Security*

16.124 A perimeter fence and locked gates would prevent unauthorised access to the BESS compound. CCTV cameras facing into the compound would monitor the proposed site and signage around the external perimeter would be erected to warn of high-voltage equipment etc. The applicant has confirmed that the CCTV is for both temperature monitoring and intruder monitoring and would include some infrared thermal imaging cameras. The applicant has confirmed that CCTV images would be monitored from a 24/7 manned control room.

### *Signage and firefighting*

16.125 An emergency services information point is proposed at the entrance of the site close to Coldharbour Road. The applicant confirms this will provide detail on emergency contact information, emergency isolation points and any specific hazards on site. The applicant notes that signage would be provided as part of the detailed design of the project and would be specified within an Emergency Response Plan (ERP).

### *Emergency Plans*

16.126 NFCC Guidance notes that site operators should develop emergency plans (including a Risk Management Plan and ERP) and share these with the FRS. An ERP would be prepared at the detailed design stage. Given the recommendations of the NFCC Guidance an ERP is proposed to be secured via a pre-commencement condition.

16.127 The applicant has suggested that a Fire Liaison Framework (FLF) with the FRS will be maintained for the lifetime of the BESS and that a EPR is put in place in advance of the BESS operation. It is proposed that an Integrated Fire Risk Management Strategy (IFRMS) would be prepared based on the detailed design informed by the submitted FLF.



16.128 Subject to appropriately worded conditions securing the ERP, and IFRMS, the proposal complies with NFCC guidance in respect of emergency plans. Dorset Council would consult with Dorset FRS when details are submitted for approval pursuant to the conditions.

#### *Environmental impacts*

16.129 As noted in the pollution assessment section below, the proposal includes systems for containing and managing water run off and the EA has no objection.

#### *Other matters*

16.130 A number of comments have raised concern with the proposed battery chemistry (Lithium Iron Phosphate, LFP) and suggest that other chemistries such as vanadium should be used instead. The applicant has proposed LFP batteries which have been assessed in detail via peer review and considered by the FRS. As a planning application it is necessary to consider whether the proposed development, including specified batteries, are acceptable. It is therefore beyond the scope of the assessment of this application to require that alternative chemistries are explored by the applicant.

#### *Summary*

16.131 Due to the nature of battery storage facilities, the risk of fire cannot not be fully eliminated however, with the proposed mitigation measures in place as described above, a fire is not considered likely. Subject to the above recommended planning conditions (i.e. proposed specification, water tanks, landscape maintenance and maintenance, and emergency plans), officers are satisfied that the health and safety matters of the development in so far as they relate to land use planning matters have been satisfactorily addressed.

#### Pollution

16.132 The development would not generate unacceptable pollution, odour, detrimental emissions or associated impacts during normal operation. There is however a risk of such impacts in the event of a fire and thermal runaway and the Environment Agency (EA) raised initial concerns with potential pollution of water in the event of a fire.

16.133 The applicant has responded to initial concerns raised by the EA including by amending the conceptual drainage proposals to include an impermeable lining underneath the gravel attenuation areas beneath the battery unit compounds, lined swales and penstocks valves.

16.134 The EA has now removed its objection to the development subject to conditions. These conditions relate to surface water drainage, an emergency pollution control method statement and a verification plan. The EA recommend that BESS sites have drainage systems which can be completely sealed in the event of a fire to contain all contaminated firewater within the site and ensure there is no discharge of polluted water to ground or surface water bodies (including sealed gravel attenuation areas, lined attenuation ponds and penstock valves which can be

automatically closed). These measures are included with the submitted Flood Risk Assessment and Conceptual Drainage Strategy (April 2024).

16.135 It is noted that contamination of land would be managed under separate legislation, notably the Environmental Protection Act, with the precise method of remediation depending on the nature and extent of contamination. Accordingly, with the recommended conditions imposed the proposal is not considered to give rise to concerns with pollution.

16.136 Pollution risks and potential adverse impacts during construction can be appropriately managed during construction through a Construction Environmental Management Plan (CEMP) condition. Subject to this planning condition the proposal accords with Policy ENV9.

#### Flood risk and drainage

16.137 The site falls entirely within Flood Zone 1 and has low risk of flooding from rivers and sea. Parts of the site are subject to high (1 in 30 year) and medium (1 in 100 year) risks of surface water flooding, notably land within the proposed recreational space (Fields 5 and 6) where the watercourse runs west to east and in the south of the site close to exiting woodland (Fields 2, 3 and 4) where the watercourse flows south through the existing woodland.

16.138 Within the south of the site (Field 3) groundwater levels are between 0.025m and 0.5m below the ground surface within the site. Within this zone there is a risk of groundwater flooding to both surface and subsurface assets and there is the possibility of groundwater emerging at the surface locally.

16.139 The NPPF defines Essential Infrastructure as infrastructure which has to be located in a flood risk area for operational reasons, including essential utility infrastructure such as electricity storage and distribution systems. Such infrastructure is compatible within all flood zones and areas of medium and high surface water flood risk. The proposal avoids BESS compounds and the substation within areas of medium and high surface water drainage. Whilst parts of the wider site are affected by medium and high surface water flood risk, given the proximity of the BESS to Chickerell Substation there is an operational reason for it to be located where it is. Accordingly, the application of the Sequential and Exception Tests are not required.

16.140 The proposals would significantly increase the impermeable areas of the site compared to the existing site though the installation of the BESS compounds, substation and associated areas of hard standing.

16.141 The submitted Flood Risk Assessment and Conceptual Drainage Strategy (April 2024) considers latest information on flooding contained within the Dorset Level 1 Strategic Flood Risk Assessment (March 2024). Surface water is proposed to be stored within the gravel BESS compound and three attenuation basins (two within Field Five and one within Field 3) and discharged at a restricted rate to the existing watercourse within Field 3.

16.142 The Lead Local Flood Authority has reviewed the surface water proposals by the applicant and has no objection subject to conditions.

16.143 Given the generally low risk of flooding on the site, and subject to surface water drainage conditions, the proposed development would be acceptable from a flood risk perspective and would not increase the risk of flooding elsewhere in accordance with Policy ENV5 and the NPPF.

## Other Matters

### *Air Quality*

16.144 Air quality impacts would arise through the construction of the development via associated vehicle movements and construction processes. During construction, air quality impacts are capable of mitigation through a Construction Management Plan that would require measures to suppress dust. The applicant's Shadow Habitats Regulations Assessment identifies that the development would not cause adverse effects on the integrity of protected sites. Impacts on air quality through vehicle movements are not considered to give rise to a significant change in air quality.

### *Archaeology*

16.145 The applicant's Archaeological Trial Trenching Evaluation assesses the archaeological potential of the site, revealing limited archaeological potential. In light of the results, the Council's Senior Archaeologist has confirmed that no further archaeological work is required in relation to the proposed development. Accordingly, planning conditions are not required in respect of archaeology and the development accords with Policy ENV4 and the NPPF (Para. 209) in terms of archaeology.

### *Built Heritage Assets*

16.146 The closest listed buildings are located approximately 400m from the eastern boundary of the site along Causeway (between Coldharbour and Radipole Lane). Given the nature of development, proposed recontouring and intervening topography the proposed development is not considered to fall within the setting of any built heritage asset or other heritage asset and would avoid heritage harm in accordance with Policy ENV4 and the NPPF. The Conservation Officer has no objection.

### *Decommissioning*

16.147 A suitably worded planning condition to secure appropriate decommissioning of the site would ensure that electrical storage infrastructure is removed at the end of the 40-year period or within 6 months of the cessation of electricity storage and distribution by the facility (whichever is the sooner).

### *Gound Conditions*

16.148 The applicant has submitted a Geo Environmental report which has been reviewed by the Council's land contamination advisor (WPA). WPA concur with the need to undertake a watching brief concerning unexpected and currently unknown contamination issues. Subject to planning conditions the proposal is acceptable in relation to ground conditions and contamination.

### *Minerals Safeguarding*

16.149 As advised by the Council's Minerals & Waste Policy Team, the Minerals Planning Authority (MPA) confirm that in this case the mineral safeguarding



requirement is waived and no objection is raised to this proposal on mineral safeguarding grounds.

#### *Overhead power lines*

16.150 Two overhead power lines cross the site. National Grid raises no objection subject to maintaining sufficient clearance, avoiding planting, limiting changes in ground levels and stand offs from overhead towers from permanent structures. The proposals adhere to guidance from the National Grid.

#### *Habitats Regulations*

16.151 The proposed development is not considered to give rise to likely significant effects and is screened out from Habitats Regulations Assessment on the following basis:

- Chesil and Fleet SAC/SPA/Ramsar (2km) and Isle of Portland to Studland Cliffs SAC (4km): Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations states "... protected sites falling within 200 metres of the edge of a road affected by a plan or project need to be considered further." The specified traffic route is along the B3157, which is 800m from the Chesil and Fleet designated site. Therefore, effects on air quality can be screened out. Impacts on water quality can also be screened out as there is no viable pathway.
- Crookhill Brick Pit SAC (1km): District Level licencing applies, but from an HRA perspective effects can be screened out as Great Crested Newt individuals generally inhabit the area within 250m of a pond and there is no viable pathway 1km from the SAC.
- Noise: Effects of noise on wildlife including birds in relation to all the sites can be screened out from HRA, given the distance from designated sites and the conclusion from the Noise Impact Assessment. The assessment confirms the increase in noise levels from the operation of the proposed development and vibration effects from piling will be negligible, and noise impacts from the operation of the site will be negligible compared to existing baseline levels.

#### *High pressure gas pipelines*

16.152 Two high pressure gas pipelines crosses the site, north/south through the eastern part of Field 5 and northeast/southeast through the southern parts of Fields 3 and 4. No changes in ground levels are proposed in either area. The only development proposed across the pipelines is a 400kV underground cable connecting the BESS to Chickerell Substation.

16.153 Since receiving an objection from SGN in March 2024, officers have liaised with SGN to seek to address the objection given it erroneously states that the development includes a wind turbine and solar panels and it is not clear whether SGN had reviewed the proposed drawings.

16.154 As requested by SGN in subsequent correspondence, the proposed development within the proximity of the pipelines has been confirmed and proposed drawings have been provided. SNG has advised that any trees planting within the vicinity of the pipeline must adhere to SNG's tree planting guidelines and that any cables crossing the pipeline must cross the pipeline perpendicular or with 15 degrees of perpendicular. SNG advise that installation must adhere to SGN Safety Management Framework (ref. SGN/WI/SW/2 dated June 2018).

16.155 Whilst SGN's objection has not been withdrawn at the time of writing, SGN has advised that the objection can be addressed by implementing suitable planning conditions. With appropriately worded landscaping conditions and an informative on works within the vicinity of the pipeline, the development is considered acceptable in relation to high pressure gas pipelines.

*High voltage underground cable*

16.156 A 33kv high voltage cable crosses the site, north/south through Fields 6, 1, 2 and 3. It passes beneath the proposed BESS compounds, landscaping and landforming.

16.157 Whilst SSEN did not provide any comments at either formal consultation stage (in August 2023 and January 2024), it provided late comments on 16 July 2024 following advertisement of the planning committee. SSEN currently object to the proposed development in the absence of an agreed solution for diverting the high voltage cable. The applicant has however, provided correspondence with SSEN dating back to August 2023 and related to the proposed diversion. SSEN's response of August 2023 provides a quote for the diversion and details the works that could, subject to agreement of fees, be undertaken.

16.158 The proposed Landscape Plan identifies a 'possible 33kv cable diversion' running to the west of the main access road from Coldharbour through Fields 1 and 2. The proposed route would avoid the BESS Compounds, proposed landscaping and landforming.

16.159 Whilst the proposed revised route has not yet been formally agreed with SSEN, the proposal set out by the applicant appears to be reasonable and there appears to be sufficient space within the site to accommodate the redirected cable subject to further discussion and formal agreement with SSEN. Acknowledging the need to protect the electricity infrastructure, a pre-commencement planning condition is considered necessary to secure the agreement of the proposed route. SSEN would be consulted on the details submitted pursuant to the condition.

16.160 Whilst SSEN's objection has not been withdrawn at the time of writing, with an appropriately worded condition, the development is considered acceptable in relation to high voltage underground cables.

## 17.0 Conclusion

17.1 The proposal is for a battery storage scheme and associated infrastructure. It is located in the countryside in close proximity to the Chickerell Substation.

17.2 The proposed BESS is 400MW. Once operational it is estimated<sup>6</sup> to discharge 2,400MWh/day, enough to supply the average annual electricity needs of approximately 233,937 households. Whilst electricity discharged by the BESS would not all be consumed locally, it has the potential to serve the electricity needs of approximately 138% of households in Dorset.

17.3 The Dorset Council Climate Change: Interim Guidance and Position Statement notes climate change will be given significant weight as a material consideration in the balance when determining applications, in line with the legislative and national policy context. It identifies renewable energy generation as a public benefit which should be afforded significant weight even if the project is small-scale.

17.4 As noted in Section 15 of this report, the proposal would help to support local, national and international targets through the provision of renewable energy supporting infrastructure, thereby reducing carbon emissions, helping to decarbonise the grid and support energy security. It would respond to Dorset Council's declared climate, ecological and nature emergencies. The renewable energy benefits of the development therefore attracts significant positive weight in the planning balance.

17.5 Moderate net positive economic benefits would accrue through the development of the site during the construction period (construction jobs and supply chain benefits) and limited positive economic benefits would accrue through the operation of the development, given it would support few off-site jobs.

17.6 Biodiversity net gains would be delivered in excess of policy requirements. In the context of the declared ecological emergency, the benefits carry moderate weight.

17.7 Adverse impacts on residential amenity would not result in a significant adverse effect on residential amenity and the proposals would not generate a level of noise that would detract significantly from the character and amenity of the area or the quiet enjoyment of residential properties. As the adverse impacts would not amount to a reason for refusal, they carry limited adverse weight in the planning balance.

17.8 Significant adverse landscape and visual effects would be limited and localised to footpath S16/21 within Field 3. Harm would reduce over time to a non-significant level 10 years after development when proposed landscaping establishes. There would be no harm to the Dorset AONB and the specified qualities of the designated Land of Local Landscape Importance would be protected. Given the incorporation of appropriate measures to moderate the affects, the harm is judged to carry moderate weight in the planning balance.

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<sup>6</sup> See Paragraph 15.16 of this report

17.9 Degradation of footpath S16/21 through development within its setting would be appropriately compensated for through provision of a network of permissive routes through the site and creation of informal recreational areas within Fields 5 and 6.

17.10 Whilst part of the site is Best and Most Versatile Agricultural Land, limited temporary loss of Best and Most Versatile Agricultural Land is acceptable under Policy ENV8 given retention would be inconsistent with other policy and sustainability considerations. The loss is attributed limited weight.

17.11 Resulting pollution from potential fires is regulated by other legislative regimes and the planning system must operate on the assumption that these are effective. Nevertheless, the proposals have been rigorously assessed against NFCC guidance and independently peer reviewed by a consultant instructed by Dorset Council. The site is located in excess of the minimum distances to residential properties advised by NFCC guidance and the site layout has been justified. The proposals have been subject to iterative consultation with the Environment Agency, recommended conditions regarding water pollution and drainage are proposed to be imposed. There is no objection from Natural England.

17.12 On balance, the development is sustainable and the collective significant benefits of the proposal are considered to outweigh the identified harm of the development. For the reasons set out above, it is considered that the proposal is in accordance with the Development Plan read as a whole and there are no material considerations meaning that planning permission should be refused. The application is therefore recommended for approval subject to planning conditions and a Section 106 Agreement to secure compensatory permissive routes and publicly accessible informal recreational space within the site.

## 18.0 Recommendation

- A) Delegate authority to the Head of Planning or the Service Manager for Development Management and Enforcement to grant planning permission, subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure:
- Permissive footpath routes through the site as shown on Landscape Plan ref. 21-LP-01 Rev B and publicly accessible recreational space within Fields 5 and 6 for the lifetime of the development.

And the following conditions:

### Time limit

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended). The longer time period is

considered reasonable given the complexity of the pre-commencement conditions and the anticipated receiving date to the National Grid of 2028.

### **Approved Drawings**

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

SL259\_L\_X\_LP\_1 Location Plan

SL259\_L\_X\_MP\_1 Rev B Block Plan

SL259\_L\_X\_CS\_1 Rev A Cross Sections

521\_LP\_01 B Landscape Plan

SD\_1 Rev A Vehicle Tracks

SD\_2 Rev A Contractors Temporary Compound

SD\_3 Weld Mesh Fence to Battery Compounds

SD\_4 Palisade fence to the substation compound

SD\_5 External Transformer

SD\_6 Container housing batteries

SD\_7 Spare Parts Container

SD\_8 Welfare Module

SD\_9 Inverter House

SD\_10 Reptile Hibernacula

SD\_11 Pole Mounted Security Camera

SD\_12 Rev A Fire Water Tank

SD\_13 Control Room Building

SD\_15 Compound Surface Finishes

SD\_16 Rev A Permissive Footpath Construction

SD\_17 Kissing Gate Detail

SD\_18 Permissive Path Way Marker Post

SD\_18 Rev B Piped Ditch Crossing

SD\_19 Fruit Tree Protection Fence

SD\_20 Tree Pit detail in soft landscape areas

SD\_21 Rev A Retaining Wall 1

SD\_22 Rev A Retaining Wall 2

Reason: For the avoidance of doubt and in the interests of proper planning.

### **Temporary Development**

3. The planning permission hereby granted shall be limited to a period of 40 years from the date when electrical power is first exported from the batteries to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

Reason: To define the permission and in the interests of proper planning.

### **Decommissioning**

4. No later than 6 months prior to the expiry of the planning permission, or within 6 months of the cessation of electricity storage and distribution by this facility or within 6 months of a permanent cessation of construction works prior to the facility coming into operational use, whichever is the sooner a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) shall be submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include the following details:

- i) a programme of works, including a timetable for their completion;
- ii) a method statement for the decommissioning and dismantling of all equipment and surfacing on site;
- iii) a Decommissioning Traffic Management Plan to address likely traffic impacts associated with the decommissioning;
- iv) details of any items to be retained on site;
- v) a method statement for restoring the land to agricultural use;
- vi) timescale for the decommissioning, removal and reinstatement of the land;
- vii) a method statement for the disposal/recycling of redundant equipment/structures.

The scheme of works shall be undertaken in accordance with the approved details and timescales. The Local Planning Authority shall be notified in writing of the date of the cessation of electricity storage by or distribution from the development within one calendar month of the event.

Reason: To ensure the satisfactory restoration of the site.

## **Construction Traffic Management Plan**

5. Notwithstanding the submitted Construction Traffic Management Plan (CTMP), before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- i. site operating hours.
- ii. construction vehicle details (number, size, type and frequency of movement).
- iii. a programme of construction works and anticipated deliveries.
- iv. timings of deliveries so as to avoid, where possible, peak traffic periods.
- v. a framework for managing abnormal loads.
- vi. location of construction site access.
- vii. location and form of compound, storage areas, parking, turning, surfacing and drainage details.
- viii. wheel wash and vehicle cleaning facilities, including details of the design, specification, position of facilities and measures for the disposal of resultant dirty water, oils/chemicals and materials.
- ix. inspection of the highways serving the site (by the developer or their contractor and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase.
- x. a vehicle routing plan for all contractors and suppliers to adhere to.
- xi. a scheme of appropriate signing of vehicle routes to the site (including access track).
- xii. general signage details.
- xiii. temporary traffic management measures where necessary (for example, lollipop stop/go traffic management).
- xiv. banksmen to oversee larger vehicle arrivals and departures, and to warn any users of the lane.
- xv. measures for consideration of horse riders using the access track.
- xvi. a point of contact for the users of the lane and the Local Highway Authority.
- xvii. noise restrictions if appropriate.
- xviii. details of personnel car/van sharing initiative(s) to minimise vehicle movements.

The development must be carried out strictly in accordance with the approved CTMP.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

### **Construction Environmental Management Plan**

6. Before the development hereby approved commences a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority. The CEMP must include:
- i. details of pollution prevention measures;
  - ii. details of the use and routing of plant equipment;
  - iii. details of the control and removal of spoil and wastes;
  - iv. details of the control of oils, chemicals and materials; and
  - v. a timetable for implementation.

The development must be carried out strictly in accordance with the approved CEMP and agreed timetable.

Reason: To prevent pollution of the water environment in line with paragraph 180 of the National Planning Policy Framework.

### **Diversion of High Voltage Cable**

7. Prior to commencement of development details of the re-routed 33kv high voltage cable running beneath the site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location and depth of the cable, a timetable for carrying out the diversion together with any proposed hard and soft landscaping, change in ground levels and built development within 15m of the high voltage cable. Thereafter, the diversion shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the high voltage cable is re-routed and the rights of the statutory undertaker are not compromised.

### **Connection with Chickerell Substation**

8. Prior to commencement of development details of the exact route and depth of the underground cable connecting the development with the Chickerell Substation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the underground cable shall be installed as approved.



Reason: To ensure the underground cable is routed appropriately in relation to nearby utilities infrastructure (including SGN high pressure gas pipelines) and the rights of the statutory undertaker are not compromised.

### **External Colours**

9. Prior to commencement of development, details of external colours for all external walls and roofs shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such specification as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

### **Landscaping**

10. No development shall commence until a hard and soft landscape scheme informed by Landscape Plan ref. 521\_LP\_01 Rev B together with a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping scheme and schedule of landscape maintenance must include:

- i. details of all trees and other planting to be retained;
- ii. a planting specification and plan to include numbers, size, species, positions of all new trees and shrubs;
- iii. details of existing and proposed levels, walls, fences and other boundary treatments (including colour);
- iv. details of proposed surface treatments;
- v. details of how any trees planted within 10m of high pressure gas pipelines adhere to SGN's tree planting guidelines reference SGN/PM/MAINT/5.
- vi. a programme of implementation;
- vii. a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development for all landscaping works; and
- viii. a schedule of landscape maintenance for soft landscaping adjacent to BESS compounds for the lifetime of the development to ensure vegetation does not grow within 10m of any BESS container.

All hard and soft landscape works shall be carried out in accordance with the approved details and the landscaping shall be maintained in accordance with the approved schedules of landscape maintenance.

Reason: To ensure the adequate mitigation of the landscape and visual impact of the proposals and the provision of an appropriate hard and soft

landscape scheme prior to the commencement of the development; to ensure that the agreed hard and soft landscape scheme is implemented; and to ensure that soft landscaping complies with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023).

### **Arboricultural Method Statement**

11. Prior to the commencement of any development hereby approved a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of how the existing trees and hedgerows are to be protected and managed before and during construction of the development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter proceed in strict accordance with the approved Statement.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

### **Surface Water Drainage**

12. The development hereby permitted shall not be commenced until such time as a final scheme to dispose of surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the principles of the 'Flood Risk Assessment and Conceptual Drainage Strategy' (dated 16 April 2024, Ref: HLEF85368, Ver 11) including, for the avoidance of doubt, the pollution protection principles associated with BESS compounds. The final drainage designs must demonstrate that in the event of a battery fire, all firefighting effluent can be retained on site. The surface water scheme shall be fully implemented in accordance with the approved details before the development is completed.

Reason: To ensure that any potentially contaminated effluent in the event of a pollution incident does not pose an unacceptable risk to the water environment in line with paragraph 180 of the National Planning Policy Framework.

13. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any

public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

### **Pollution Control**

14. The development hereby permitted shall not be commenced until such time as a detailed method statement and emergency plan for pollution control in the event of, and remediation following, a battery fire incident has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not necessarily be limited to:

- i. The pollution control methods used in case of a fire, such as how and when valves will be closed to ensure firewater is stored on site and ensuring there is sufficient capacity within the system if needed.
- ii. How and where contaminated surface water, site materials and drainage infrastructure will be sampled, managed and remediated/replaced following a fire incident to ensure no contamination enters the environment when normal operation resumes.
- iii. A verification plan providing details of the data that will be collected and provided in order to demonstrate that the works set out in the remediation strategy in are complete.

The scheme shall be implemented as approved in the event of a fire incident and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that the any potentially contaminated effluent does not pose an unacceptable risk to the water environment in line with paragraph 180 of the National Planning Policy Framework.

### **Emergency Response Plan**

15. Prior to the commencement of development an Emergency Response Plan shall be submitted to and approved in writing by the Local Planning Authority. The Emergency Response Plan must demonstrate how any fire event on site would be approached, including details on site familiarisation and exercising of emergency plans with the fire service. It shall include the relevant details set out at page 9 of Guidance Produced by the National Fire Chiefs Council 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023).

Thereafter, the approved Emergency Response Plan shall be implemented and made available on site for the lifetime of the development at the

Emergency Services Information Point identified on the approved Landscape Plan (ref. 521-LP-01-Rev B).

Reason: To assist appropriate emergency planning in accordance with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023).

### **Noise Mitigation**

16. Prior to commencement of development, noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority so as to ensure that the day and night rating levels at NSVRs A, B, C, D, E, F and G, as presented in Column 6, Table 8.4: 'BS 4142:2014+A1:2019 Assessment: Initial Estimate of Impact' on Page 41 of the document 'Chickerell Storage Environmental Impact Assessment Volume 8: Noise Impact Assessment' received 29 December 2023 are not exceeded. Thereafter the development shall be carried out in accordance with the mitigation measures which shall be retained, maintained and operated for the lifetime of the development unless otherwise agreed by the Local Planning Authority under the terms of condition no. 17.

Reason: In the interests of residential amenity.

17. Within six months of commencement of electricity storage and distribution, an Acoustic Report shall be submitted to the planning authority demonstrating that day and night rating levels at NSVRs A, B, C, D, E, F and G, as presented in Column 6, Table 8.4: 'BS 4142:2014+A1:2019 Assessment: Initial Estimate of Impact' on Page 41 of the document 'Chickerell Storage Environmental Impact Assessment Volume 8: Noise Impact Assessment' received 29 December 2023 are not exceeded. The acoustic report shall be produced by a suitably qualified and competent acoustic consultant. If post-commencement testing detailed within the Acoustic Report identifies that day or night rating levels are exceeded, details of further mitigation measures to achieve the levels shall be included with the Acoustic Report submitted to the Local Planning Authority. Thereafter, within 3 months of approval in writing by the Local Planning Authority, the agreed further mitigation measures shall be implemented in full and a further Acoustic Report demonstrating the relevant day and night rating levels are met shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation measures and any further mitigation measures shall be retained, maintained and operated for the lifetime of the development.

Reason: In the interests of residential amenity.

## **Unexpected Contamination**

18. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). If any contamination is found requiring remediation, a Remediation Scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. The approved Remediation Scheme shall be carried out within the approved timescale. On completion of the approved Remediation Scheme a Verification Report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

## **Water Tanks**

19. Prior to the installation of battery storage units, the water tanks shown on the approved Fire Water Tank drawing (ref: SD-12-Rev A dated 6 October 2023) shall be installed, filled with water to capacity and made available for use. Thereafter, the water tanks shall be maintained, filled with water to capacity and available for use throughout the lifetime of the development and until the battery containers are removed from the site. The water tanks shall be green in colour externally, and details of the precise shade shall be submitted to and approved in writing by the Local Planning Authority prior to first installation and shall thereafter be installed and retained in the agreed colour. The water tanks shall have a minimum flow rate of 1,900 litres per minute.

Reason: To ensure adequate water supplies in accordance with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023) and in the interests of visual amenity.

## **External Lighting**

20. No external lighting shall be installed until a detailed lighting scheme including lighting levels at the boundary of the site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the external lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties

## **Battery Specification**

21. The BESS containers hereby permitted shall be the BYD MC Cube ESS.

They shall be strictly assembled and operated in accordance with the submitted MC Cube ESS Safety Manual (ref. MC10C-B4659-E-R2M01 V01 dated 29 May 2023), MC Cube ESS Fire Technology Plan (ref. MC10C-B5365-U-R4M01 Rev 01 dated 15 November 2022) and BYD Fire Detection Data Datasheets (ref. 001-013 registered 21 May 2024), or updated versions thereof, and maintained in accordance with the specified details for the lifetime of the development.

Prior to installation of any BESS containers, a BESS Safety Management Plan (BSMP) prescribing measures to facilitate safety during the construction and decommissioning of the BESS containers shall be submitted to and approved in writing by the Local Planning Authority. The BSMP shall be implemented as approved and strictly adhered to throughout the construction and decommissioning of the development.

Reason: To minimise fire risks, associated pollution and adverse impacts on residential amenity given the specified batteries have been assessed against National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023) and found to be acceptable by the Local Planning Authority.

## **Landscape and Ecological Management Plan**

22. The measures set out within the Landscape and Ecological Management Plan (LEMP)(ref. 512-Rev D dated 20 November 2023) must be implemented in accordance with any specified timetable and completed in full prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented and managed entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained for the lifetime of the development.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

## **Biodiversity Plan**

23. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 24 April 2024 must be implemented in accordance with any specified timetable and completed in full. The works shall be completed prior to the substantial completion, or the first bringing into

use of the development hereby approved, whichever is the sooner and photographic evidence of compliance shall be submitted to the Local Planning Authority in accordance with Section J of the Biodiversity Plan. The development shall subsequently be implemented in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained for the lifetime of the development.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

### **Fire Risk Management Strategy**

24. Prior to the occupation of the development an Integrated Fire Risk Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The Integrated Fire Risk Management Strategy shall be informed by Environmental Statement Volume 9: Fire Risk, Appendix 2: Fire Liaison Framework. It shall provide details in relation to potential emergency response implications including:

- i. The hazards and risks at and to the facility and their proposed management.
- ii. Any safety issues for firefighters responding to emergencies at the facility.
- iii. Safe access to and within the facility for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
- iv. The adequacy of proposed fire detection and suppression systems (e.g., water supply) on-site.
- v. Natural and built infrastructure and on-site processes that may impact or delay effective emergency response.

Thereafter, the approved Integrated Fire Risk Management Strategy shall be implemented and made available on site for the lifetime of the development at the Emergency Services Information Point identified on the approved Landscape Plan (ref. 521-LP-01-Rev B).

Reason: To assist appropriate emergency planning in accordance with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023).

## Highways

25. Before the development is occupied or utilised the first 20.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

26. Before the development hereby approved is occupied or utilised the access improvement works shown on drawing No. SK06 Rev A (or similar scheme to be first agreed in writing with the Local Planning Authority under the terms of this condition) must have been constructed to a specification which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

27. Before the development is occupied or utilised the turning/manoeuvring and parking shown on the approved plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified for the lifetime of the development.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

## Trees

28. Any trees or other plants indicated in the approved landscaping scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the same if possible or next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscaping works shall be permanently retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the agreed hard and soft landscaping scheme is established and maintained.



## **Pollution Verification**

29. Prior to any areas affected by a potential pollution incident being brought back into use, a Verification Report demonstrating the completion of works set out in the approved emergency plan and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The relevant areas shall thereafter only be brought back into use following approval in writing by the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved emergency plan have been met, in line with paragraph 180 of the National Planning Policy Framework.

## **Informatives**

### **1. Informative: National Planning Policy Framework Statement**

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

### **2. Informative: Section 106 Agreement**

This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [TBC] relating to provision of permissive routes through the site as indicated on the proposed drawings and publicly accessible recreational space within Fields 5 and 6.

### 3. Informative: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

### 4. Informative: Users of Access Track

The applicant is advised that proper consideration must be given to all users of the access track when large vehicles arrive and leave the site, with banksmen employed to alert and control other users of the lane, such as horse riders.

### 5. Informative: Water supply

Provision of water supply should comply as far as is reasonably practicable with the requirements of Approved Document B, specifically part B5, regarding access and water supplies for firefighting or other industry or sector specific guidance by the National Fire Chiefs Council. Particular regard should be given to water supply resilience and the terrain over which fire service vehicles may have to drive in order to access the site.

### 6. Informative: Southern Gas Networks (SGN)

The site includes easements associated with high pressure gas pipelines. Before any tree planting is carried out on permanent easements, written approval should be obtained from SGN. This approval must be subject to SGN retaining the right to remove any trees which might become a danger, or restrict access to the pipeline at any time in the future. The developer's attention is drawn to SGN's Guidance for Third Parties: Safe Working Near High Pressure Gas Pipelines.

### 7. Informative: SSEN High Voltage Cable

The site includes a high voltage underground cable covered by a Deed of Grant (dated 2 August 1967). Notwithstanding planning conditions, written approval must also be obtained from SSEN prior to the diversion of the cable.

**B)** Refuse permission for the reasons set out below if the agreement is not completed by 29 January 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning:

1. In the absence of a completed Section 106 legal agreement to secure provision of permissive footpath routes through the site as shown on Landscape Plan ref. 21-LP-01 Rev B and publicly accessible recreational space within Fields 5 and 6 for the lifetime of the development the degradation to existing Public Right of Way S16/21 would not be compensated for and there would be a resultant net degradation of the Public Right of Way network in conflict with West Dorset, Weymouth & Portland Local Plan (2015) Policy COM7.

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# Agenda Item 6

Strategic Planning Committee 29 July 2024

<b>Application Number:</b>	P/FUL/2023/06578		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	Land to the north west of Holt Road Three Legged Cross Wimborne		
<b>Proposal:</b>	The construction and installation of a Battery Storage Facility, associated infrastructure, landscaping, fencing, site access road, biodiversity net gain planting and cable corridors.		
<b>Applicant name:</b>	Pivoted Power LLP		
<b>Case Officer:</b>	Diana Mezzogori-Curran		
<b>Ward Member(s):</b>	Cllr Will Chakawhata Please note Cllr Cook was the elected Ward Member at the time of the consultation period.		
<b>Publicity expiry date:</b>	6 May 2024	<b>Officer site visit date:</b>	08.12.2023 and 11.07.2024
<b>Decision due date:</b>	5 August 2024	<b>Ext(s) of time:</b>	5 August 2024
<b>No of Site Notices:</b>	5 site notices displayed on 8.12.2023		
<b>SN displayed reasoning:</b>	For awareness		

**1.0** This application has been brought to the Strategic Planning Committee for determination based on the scale of the proposal.

**2.0 Summary of recommendation:**

2.1 GRANT subject to conditions at Section 19 of this report.

**3.0 Reason for the recommendation:** as set out in paras 16 – 18 of this report and summarised as follows:

- Section 38(6) of the Planning and Compensation Act 2004 provides that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.
- Paragraph 11 of the National Planning Policy Framework (NPPF) sets out that decisions should apply a presumption in favour of sustainable development where it accords with an up-to-date development plan.

- Large scale battery storage is identified at a national level as playing an essential role in our energy transition and ability to fully decarbonise the electricity grid by 2035 and achieve net zero by 2050.
- The proposal would make a significant contribution towards tackling climate change through the provision of battery storage.
- The proposal is considered to be acceptable in terms of the scale, design and impact on the surrounding area.
- The proposal is considered to constitute very special circumstances in the Green Belt and is therefore considered to be acceptable in this respect.
- Biodiversity net gains (11.88%) would be delivered through on-site planting, including grassland, mixed scrub, individual trees and native hedgerow.
- The proposed development would have limited and localised adverse landscape and visual impacts and would not harm the characteristics of the area.
- Appropriate mitigation would be secured via planning condition to minimise adverse visual impacts.
- The mitigation measures regarding the cumulative noise levels from both BESS developments on residential amenity would be secured via planning condition to minimise adverse impact.
- The site is sufficiently distant from nearby residential properties and battery safety would be appropriately managed and secured via planning condition.
- The proposal is acceptable in respect of impacts on parking, highway safety, flood risk and drainage.
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Impact on the Green Belt	Acceptable
Scale, design, impact on character and appearance of the area	Acceptable, subject to conditions
Impact on landscape	Acceptable, subject to conditions
Impact on neighbouring amenity - noise	Acceptable, subject to conditions
Biodiversity	Acceptable, subject to conditions
Highway impacts, safety, access and parking	Acceptable
Health and Safety - Fire safety	Acceptable, subject to conditions
Flood risk and drainage	Acceptable, subject to conditions
Pollution	Acceptable, subject to conditions

Impact on trees	Acceptable
Archaeology and heritage assets	Acceptable
Minerals and Waste Safeguarding	Acceptable

## 5.0 Description of Site

- 5.01 The site is located within a rural landscape at Mannington, Holt and within statutory Green Belt (GB). The site covers an area of approx. 5.13 ha in total, including the battery storage facility, a compound, grid connection cable corridor (covering 0.9 ha), and an area provided for biodiversity net gain enhancements (4.2 ha).
- 5.02 The site comprises an irregular parcel of vegetated land, with an electricity pylon in the west-central section of the site (running west to east), and a linear cable run feature connecting to a substation to the south. A dry ditch runs through the woodland to the south of the site. The site includes part of Holt Road to the south, connecting to the National Grid (NG) Mannington Substation to the east / south-east, via a proposed cabling route. The NG substation is located approximately 250m east / south-east of the site.
- 5.03 Immediately to the north of the site are agricultural fields, and a pond is located approximately 50m to the north-west. Linwood Sawmill is approximately 60m north of Holt Road and 75m east of the site. To the east there are fields, equestrian buildings, various outbuildings and containers.
- 5.04. Adjacent to the site and to the south-west is Emmers Farm which had planning consent for a 49.9MW Battery Energy Storage System (BESS) scheme in 2021 (Application ref: 3/21/0137/FUL). To the north-east are further agricultural fields and approximately 150m west is a waste storage area, accessed via Burt's Lane.
- 5.05 An area of woodland borders the site to the south-east. To the south there are two residential properties, Willow Cottage and The Copse. The closest Willow Cottage is located approx. 85m from the nearest proposed battery container and 95m from the nearest transformer/inverter. The Copse is located approx. 250m from the nearest, proposed battery container and 260m from nearest transformer/inverter. A Public Right of Way runs north-east from Mannington Farm toward Burt's Lane (PRoW) E45/9, approx. 220m to the south-west of the site,
- 5.06 The surrounding landscape is predominantly rural with a mixture of woodland, hedgerows, heathland, farmland, and scattered residential properties. Emmers Farm, Linwood Sawmill and Mannington Substation are the exception. Dorset Heathlands Ramsar (international treaty for the conservation and sustainable use of wetlands) and Special Protection Area (SPA), Dorset Heaths Special Area of Conservation (SAC) and Holt and West Moors Heaths Site of Special Scientific Interest (SSSI) are located approximately 150m north of the site and 240m to the south. A Grade II listed bridge lies approximately 160m to the south and a Scheduled Monument 'Bowl barrow on 'Summerlug Hill' 520m to the south of the site.
- The Dorset Area of Great Landscape Value (AGLV) lies 70m to the south of the site. The Cranborne Chase National Landscape (formerly AONB) lies approximately 4.6 km west and 5 km north of the site.
- 5.07 The site will be accessed from Holt Road to the south via an existing access shared with Emmers Farm.

## 6.0 Description of Development

6.01 The proposal is to construct a Battery Energy Storage System (BESS) that will be operational for 40 years with a storage capacity of up to 47.5MW. The application is in Full and includes details of the associated infrastructure, landscaping, fencing, site access road, biodiversity net gain planting and cable corridors connecting it to the National Grid (NG) Mannington Substation.

6.02 The proposed BESS has the following components:

Table 1 – Proposal Summary

Component	Detail
65 x Battery Containers (reduced from 78 as originally proposed)	<p>The maximum height of the highest part of the containers would be 2.4m excluding any base.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 2.7m</p> <p>Metal and finished in a neutral colour.</p>
7 x Inverter/Transformers	<p>The maximum height of the highest part of the equipment would be 4.3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 4.6m</p>
1 x Resistor and Harmonic Filter	<p>The maximum height of the highest part of the equipment would be 3.2m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.5m</p>
1 x BESS Switch Room	<p>The maximum height of the highest part of the equipment would be 3.3m.</p>



	<p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.6m</p>
<p>1 x Earth Transformer 1 x Auxiliary Transformer</p>	<p>The maximum height of the highest part of the equipment would be 3.3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.6m</p>
<p>1 x LV Substation</p>	<p>Maximum height of 3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.3m</p>
<p>1 x DNO Substation (Distribution Network Operator Substation)</p>	<p>Maximum height of 3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.3m</p>
<p>1 x Welfare facility</p>	<p>Maximum height of 3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.3m</p>
<p>1 x Spares container</p>	<p>Maximum height of 2.6m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p>

	Total height including base is 2.9m
1 x Control room	<p>Maximum height of 3m.</p> <p>Set on a concrete plinth or stone base with a maximum height of 0.3m AGL.</p> <p>Total height including base is 3.3m</p>
2 x EV Parking Spaces with charging point	
Infra-red CCTV cameras mounted on poles	The maximum height of the pole mounted CCTV cameras will be 4.2m.
Perimeter fencing	<p>Timber board fencing along the northern boundary.</p> <p>The maximum height of the perimeter fencing will be 3.0m.</p>
Acoustic fencing	<p>Timber acoustic fencing along the southern, eastern, and western boundaries.</p> <p>The height of the acoustic fencing will be 4.0m.</p>
Access track	Existing access from Holt Road (south), which comprises a bell-mouth area of hard-standing, is also utilised by the industrial site to the south-west (Emmers Farm), which has permission for the installation of a BESS development.
Internal perimeter track	<p>Maximum width 4m.</p> <p>Finished in compacted crushed stone.</p>
Distribution Cables (within the BESS compound)	

	<p>These will be buried underground between components.</p> <p>Minimum depth of cable trenches will be 0.9m below ground level.</p> <p>Maximum depth of the cable trenches will be 1.2m below ground level.</p>
Water tank	<p>Maximum height of 3.3m. including concrete base.</p> <p>Size 10m<sup>2</sup></p> <p>Capacity: 1,900 l/min for at least 120 minutes</p>
Cable Route	<p>Minimum depth of cable trenches will be 0.9m below ground level.</p> <p>Maximum depth of the cable trenches will be 1.2m below ground level.</p> <p>Cable route will sit within the existing road footprint.</p>

6.03 An underground cable will run from the battery storage units to the NG Mannington substation. Site access is proposed from Holt Road, which bounds the south of the site. There is currently an existing access point to Emmers Farm which will remain.

## 7.0 Relevant Planning History

7.01

Application reference	Site address	Proposal	Decision & decision date
P/ESC/2023/03961	Land to the north west of Holt Road Three-Legged Cross	Environmental Impact Assessment (EIA) screening request	Not EIA development 01/08/2023

7.02 To the south west of the site a planning application for 49.9MW Battery Energy Storage System (BESS) was approved in June 2021. A subsequent Variation of condition application was approved in August 2023:

<b>Application reference</b>	<b>Site address</b>	<b>proposal</b>	<b>Decision and decision date</b>
3/21/0137/FUL	Land Off Holt Road, adjacent to application site as per paragraph 7.02 above	<i>Proposed development of a Battery Energy Storage System (BESS)</i>	Approved 18/06/2021  <b>Development commenced</b>
P/VOC/2022/05875	Land Off Holt Road, adjacent to application site as per paragraph 7.02 above	<i>'Proposed development of a Battery Energy Storage System (BESS) (Variation of Condition 3 of PP 3/21/0137/FUL in order to reinstate and return the site to agricultural use after 40 years from the date of energisation/connection</i>	Approved 09/11/2022

7.03 Other planning applications within the area relevant to the proposed development:

<b>Application reference</b>	<b>Site address</b>	<b>proposal</b>	<b>Decision and decision date</b>
P/ESC/2022/07135	Sturts Farm, West Moors, Road West Moors  (approx. 0.6 km SE of the application site)	<i>Proposed battery energy storage system with associated infrastructure, access track and cable route</i>	Not EIA development  November 2022
3/13/0669/FUL	Land At Wedgehill Farm Woodlands Wimborne  approx. 0.9km north of the application site	<i>Solar farm, comprising the erection of solar arrays of photovoltaic panels, inverter/transformer sheds, fencing, site storage cabin, combined DNO and EPC switchgear housing, internal gravel access road,</i>	Approved January 2014  <b>Operational</b>

		<i>and associated equipment (as amended by plans rec'd 25/10/13, 7/11/13, 27/11/13 &amp; 16/12/13) AMENDED BY 3/14/0765/NMC</i>	
3/14/0457/FUL	Manor Farm, St Michaels Road, Verwood  approx. 1.8km NE of the application site	<i>Installation of ground mounted photovoltaic solar arrays to provide 20.4MW generating capacity together with power inverter systems; transformer stations; internal access track; landscaping; security fencing; access gate; CCTV and ancillary infrastructure</i>	Approved July 2014  <b>Operational</b>
3/13/0470/FUL	Homeland Farm, Ringwood Road, Three-Legged Cross  approx. 2.km East of the application site	<i>Proposed temporary (30 years) change of use from agriculture to agriculture and solar photovoltaic farm with associated static arrays of photovoltaic panels together with cabins to contain inverter cabinets and transformers and a cabin to house a substation, with perimeter fencing, landscape, and ecological enhancements. As amended by plans received 29th July</i>	Approved October 2013  <b>Operational</b>

		<i>2013. as amended by add info 20th August 2013</i>	
3/14/0790/FUL	<p>Bedborough Farm, Land at Uddens Drive, Wimborne</p> <p>approx. 3.5km South of the application site</p>	<i>Development of a new solar farm of up to 7MW of generating capacity, comprising the installation of solar photovoltaic panels and associated infrastructure including electrical inverter and transformer cabins, switchgear and meter house, access tracks, fencing, CCTV and landscape planting as amended by plans rec'd 10/10/14</i>	<p>Approved November 2014</p> <p><b>Operational</b></p>

Other applications currently under consideration

<b>Application reference</b>	<b>Site address</b>	<b>proposal</b>	
P/FUL/2023/03415	<p>Woodlands Manor Farm, Horton,</p> <p>approx. 2.7km North of the site</p>	<i>Construction of Solar Farm and associated infrastructure</i>	<b>Under consideration</b>
P/FUL/2023/02829	<p>Woodlands Manor Farm, Horton,</p> <p>approx. 2.7km North of the site</p>	<i>Construction of Solar Farm and associated infrastructure</i>	<b>Under consideration</b>

**8.0 List of Constraints**

Dorset heathlands - 400m heathland buffer, Description: Holt & West Moors Heaths  
 National Grid Overhead Line AXMINSTER - CHICKERELL - MANNINGTON  
 Operating 400 and LOVEDEAN - MANNINGTON - NURSLING Operating 400

National Grid Substation 0.0 (132kV) and 10052203.0 (400kV)

National Grid Tower 10031218.0 (height 27.61)

Bournemouth Water Consultation Area

Environment Agency (EA) - Risk of Surface Water Flooding Extent 1 in 30, Extent 1 in 100, and 1 in 1000

EA - Groundwater no susceptibility to flooding.

Ancient Woodland: BAREWOOD COPSE; Ancient & Semi-Natural Woodland and: MANNINGTON COPSE; Ancient & Semi-Natural Woodland

Existing ecological network (Polygons)

Higher Potential ecological network

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021)

Site of nature conservation interests (SNCIS): SU00/056 - Mannington Sub-station

Greenbelt: Bournemouth Greenbelt (GB)

Minerals and Waste - Sand and Gravel

## 9.0 Consultations

All consultee responses can be viewed in full on the website.

### Consultees

**1. Environment Agency (EA)** - Final comments received on 17.05.2024.

Following an initial objection due to risk of pollution to controlled waters, the EA confirmed the Applicant has provided sufficient detail regarding water drainage. The EA has confirmed removal of its holding objection subject to conditions. (Conditions 10, 11, 12, 13; Informative note 1, 2)

**2. Natural England (NE)** - Comments received 04.06.2024

Natural England concur with the Council's Appropriate Assessment (AA) and has no objection to the authority granting the permission.

NE welcomes submitted biodiversity mitigation and provisions for Biodiversity Net Gain (BNG) which will be secured by way of planning conditions and informative Notes. (Condition 15)

**3. Dorset Fire & Rescue Service (DWFRS)** - Final comments received on 29.04.2024.

Initial comments received from DWFRS identified a lack of information regarding design, especially spacing between BESS units/containers; access and turning of emergency vehicles on site. Further guidance on water supply was offered to LPA/Applicant with initial comments.

Following the amendments to the site layout, a reduction in the number of units, and ongoing assessment of the suitability of the fire engineered solution regarding spacing of containers, DWFRS are satisfied this achieves the objectives of National Fire Protection Association (NFPA) 855. (Condition 27)

**4. National Grid Plant Protection - Comments received on 18.12.2023.**

National Grid has no objections to the above proposal subject to conditions. There are no National Gas Transmission assets affected in this area.

**5. Forestry Commission**

No comments received

**6. Bournemouth Water Ltd - Comments received on 29.11.2023**

Bournemouth Water has no comment or concern.

**7. National Highways - Comments received on 27.11.2023**

- noted that once in operation the site is unlikely to generate significant traffic flows. The primary vehicular impact will be during the construction phase which is expected to last 10-12 months commencing in 2025, subject to planning consent.
- consider that the proposed vehicle routing in respect of the Strategic Road Network (SRN) is suitable to accommodate the predicted development traffic.
- satisfied that the proposals are unlikely to result in a severe or unacceptable impact on the SRN in capacity or safety terms, as defined by the NPPF.

**8. Dorset Council (DC) – Highways - Comments received on 14.12.2023.**

No objection subject to conditions. (Conditions 23, 24, 25, 26)

**9. DC - Natural Environment Team (NET)**

Biodiversity Plan submitted and approved by NET on 30.05.2024 and a Certificate of Approval issued on 30.05.2024. (Condition 15)

**10. DC - Environmental Assessment - Comments received 20.12.2023.**

Habitats Regulations Assessment (HRA) and Appropriate Assessment (AA) have concluded that subject to the appropriate mitigation being properly secured, the proposed development will not result in an adverse effect upon the integrity of the Dorset Heaths SAC, and Dorset Heathlands SPA and Ramsar.



**11. DC – Landscape** - Final comments received on 03.06.2024.

Following the amendments to the site layout and reducing the number of units, Landscape Team are satisfied that subject to conditions, the proposal is acceptable in terms of landscape and visual impact. (Conditions 6, 7, 21)

**12. DC - Flood Risk Management (LLFA)** – Comments received 30.05.2024.

- Initial holding objection
- LLFA confirmed the additional information submitted provides the clarification required to substantiate the surface water discharge route.
- The applicant may still need to undertake some clearing work within the land owned/managed by the applicant to ensure that any open sections of culvert (drainage ditch) are cleared (if required).
- Accordingly, the LLFA has confirmed removal of its holding objection subject to conditions and informative Notes. (Conditions 16, 17; Informative note 3)

**13. DC - Minerals & Waste Policy** - Comments received 13.06.2024.

The site is within a safeguarded area for sand and gravel, and within the Bedrock Sand Resource Block. However, as the proposal is temporary, the mineral would not be sterilised by the development.

**14. DC – Planning Policy** - Comments received 18.06.2024.

There is no in principle policy objection to the proposal for the Battery Energy Storage System subject to there being very special circumstances in favour of the proposed development and it being acceptable in respect of all other material planning considerations.

**15. DC Environmental Health Officer (EHO)** - Comments received 02.07.2024.

Following an initial objection, the EHO has confirmed the updated Noise Modelling Results for Battery Storage Facility received on 01.07.2024 has demonstrated that a cumulative (all plant permitted by applications 3/21/0137/FUL and P/FUL/2023/06578) rating level of no more than 35dB *L<sub>ar,Tr</sub>* at the nearest noise sensitive receptor can be achieved. Accordingly, the EHO has confirmed removal of its objection subject to conditions. (Conditions 8, 9, 26)

**16. DC Archaeology** Comments received on 17.06.2024.

There are no concerns regarding archaeology.

**17. DC - Section 106**

No comments received

**18. DC - Rights of Way Officer**

No comments received

**19. DC - Building Control East Team (BC)**

No comments received

**20. Dorset Wildlife Trust (DWT)**

No comments received

**21. Ramblers Association**

No comments received

**22. Stour And Allen Vale Ward**

No response received

**23. Holt Parish Council** Comments received 07.12.2023.

Parish Council has no objection to proposal however there are some concerns regarding noise disturbance to neighbouring residential properties and wildlife.

**Representations received**

**Summary of comments of objection/support:**

No letters of objection received

**10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

**11.0 Relevant Policies**

Development Plan

**Christchurch and East Dorset Core Strategy (Part 1) 2014 (CS)**

- KS1 Presumption in favour of sustainable development
- KS3 Green Belt

- ME1 Safeguarding biodiversity and geodiversity
- ME2 Protection of the Dorset Heathlands
- ME3 Sustainable development standards for new development
- ME5 Sources of Renewable energy
- ME6 Flood Management, Mitigation and Defence
- HE1 Valuing and Conserving our Historic Environment
- HE2 Design of new development
- HE3 Landscape Quality

### **East Dorset Local Plan 2002 (Saved Policies)**

- LTDEV1 Criteria for external lighting on developments.
- DES 2 Criteria for development to avoid unacceptable impacts from types of pollutions (Noise, smell, safety, health, lighting, disturbance, traffic or other pollution).
- DES6 Landscaping schemes in rural areas and on the edge of settlements should be of indigenous species.
- DES7 Criteria controlling the loss of trees.
- DES11 Criteria for ensuring developments respect or enhance their surroundings.

### Material Considerations

#### **Emerging Local Plans:**

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

#### **The Dorset Council Local Plan**

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

#### **Emerging Neighbourhood Plans**

N/A

#### **National Planning Policy Framework (December 2023)**

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'. Local planning authorities should not require applicants to demonstrate the need for renewable or low carbon energy and should approve applications if impacts are (or can be made) acceptable (Para. 163).
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

National Planning Practice Guidance

The NPPG acknowledges the benefits of BESS and provides guidance to applicants and Local Planning Authorities (034 Reference ID: 5-034-20230814 and 035

Reference ID: 5-035-20230814 respectively). It recommends consultation with the local fire and rescue service and consideration of proposals against guidance produced by the National Fire Chiefs Council (NFCC) (2023).

The associated Chief Planner Newsletter of 11 September 2023 notes that ensuring BESS developments are sited, installed, operated, maintained and decommissioned safely are priorities for the Government together with ensuring that potential risks to safety are duly assessed.

### Grid Scale Energy Storage System Planning Guidance

This planning guidance was published by the National Fire Chiefs Council (NFCC) in 2023. It provides detailed guidance on the planning, design and management of BESS developments and references other guidance, comprising:

- National Fire Protection Authority (NFPA) (2023) – Standard for the Installation of Stationary Energy Storage Systems ('NFPA855')
- FM Global (2017) Property Loss Prevention Data Sheets: Electrical Energy Storage Systems

### National Policy, Government Guidance and Strategy

- Net Zero Strategy: Build Back Greener (2021)
- British Energy Security Strategy (2022)
- Government Response: Facilitating the deployment of large-scale and long duration electrical storage (2022)
- Powering Up Britain (2023)
- Powering Up Britain Energy Security Plan (2023)
- Overarching National Policy Statement for Energy (EN-1) (2023)
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)
- UK Battery Strategy (2023)
- Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems (March, 2024)

### Other material considerations

#### **Supplementary Planning Documents and Guidance**

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Climate & Ecological Emergency Strategy, Dorset Council (15 July 2021)
- Natural Environment, Climate and Ecology Strategy 2023-25 Refresh (March 2023)
- Planning for Climate Change: Interim Guidance and Position Statement (December 2023)

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty**

13.01 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. It is not considered that the application will affect anyone with protected characteristics.

## **14.0 Financial benefits**

14.01 Employment, particularly during the construction and decommissioning phases of the development, as well as statutory and site operators during the lifetime of the development will provide financial benefits to the local economy.

## **15.0 Environmental Implications**

15.01 At a national level the Government aims to reduce carbon emissions by 80% (compared to 1990 levels) by 2050 and fully decarbonise the electricity grid by 2035. The Government aims to achieve these targets in a number of ways, including through development of up to 50GW of offshore wind by 2030 and a fivefold increase in solar by 2035 (Powering Up Britain, 2023).

15.02 The Government’s Net Zero Strategy: Build Back Greener (October 2021) acknowledges that the path to net zero in 2050 will respond to the innovation and adoption of new technologies over time. Whilst the exact technology and energy mix in 2050 cannot be known now, the Government identifies a number of green technologies (including storage), which interact to meet demand across sectors.

- 15.03 Electricity storage complements the rapid necessary expansion of renewable technologies by providing a balancing function to support the intermittent energy supply from renewable sources.
- 15.04 National Policy Statement EN-1 (2023) states that storage has a key role to play in achieving net zero and providing flexibility to the energy system. Storage is noted to support the usable output from intermittent low carbon generation, reducing the total amount of generation capacity needed on the energy system, thereby helping to reduce constraints on the network and helping to defer or avoid the need for costly network upgrades as demand increases. EN-1 confirms there is currently around 4GW of electricity storage operational in Great Britain, around 3GW of which is pumped hydro storage and around 1GW is battery storage.
- 15.05 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023) adds that as the electricity grid sees increasing levels of generation from variable renewable generators such as offshore wind, onshore wind and solar power, there will be an increasing need for storage infrastructure to balance electricity supply and demand.
- 15.06 The Government's British Energy Security Strategy (2022) sets out how the Government seeks to secure clean and affordable energy in the long term. The wide-ranging initiatives include encouraging all forms of flexibility with sufficient largescale, long-duration electricity storage (LLES) to balance the overall system.
- 15.07 In August 2022, the Government issued a response on facilitating the deployment of LLES. The response states that *"a smart and flexible energy system is essential for integrating high volumes of low carbon power, heat, and transport. The importance of flexibility for our energy security to ensure that we can efficiently match supply and demand and minimise waste was recognised in the British Energy Security Strategy. We anticipate that at least 30GW of low carbon flexible assets, which includes electricity storage, may be needed by 2030 to maintain energy security and cost-effectively integrate high levels of renewable generation."*
- 15.08 The document notes that battery developments have an important role to play in achieving net zero, helping to integrate renewables, maximising their use, contributing to supply, and helping manage constraints in certain areas. The response further recognises that electricity storage developments provide low carbon flexibility, replacing some unabated gas generation and diversifying our technology mix to help meet energy targets.
- 15.09 The Government's Powering Up Britain: Energy Security Plan (2023) explains the Government is facilitating the deployment of electrical storage at all scales and is working to ensure an appropriate, robust and future-proofed health and safety framework is sustained as electrical storage deployment increases.
- 15.10 In November 2023 the Government published the UK Battery Strategy. It reiterates that batteries will play an essential role in our energy transition and our ability to achieve net zero by 2050. In respect of battery safety, the Strategy notes the UK has a strong health and safety and regulatory framework covering the breadth of different batteries noting work is continuing to improve battery safety. It confirms the

Government will continue to prioritise cross-departmental work into the ongoing safety of industrial-scale batteries.

- 15.11 The Department for Energy Security and Net Zero's (DESNZ) January 2024 consultation on Long Duration Electricity Storage identifies that is a pipeline of at least 35GW of lithium-ion BESS across the UK with either a planning application submitted, planning application accepted or currently under construction.
- 15.12 In April 2024 the Department for Energy Security and Net Zero (DESNZ) published 'Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems' (March 2024). This document highlights the rapid growth of grid-scale electrical energy storage systems (EESS) connecting to our electricity system which play an essential role in our energy transition and our ability to achieve net zero targets. This document which highlights the existing legislation, regulations, standards and other industry guidance is intended as a good practice guidance to EESS project developers to help navigate the Health and Safety (H&S) landscape and ensure relevant aspects of H&S are integrated into their process(es). Although this guidance focusses on 'grid-scale' battery applications, targeting variants of lithium-ion batteries, however, the nature of the guidance is such that elements will also be applicable to other battery technologies or grid scale storage systems.
- 15.13 The NPPF (Para. 163) sets out that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable energy and recognise that even small-scale projects provide a valuable contribution to significant cutting of greenhouse gas emissions. It also sets out that applications should be approved if the impacts are (or can be made) acceptable.
- 15.14 Dorset Council accepts that energy needs to be produced from renewable sources and the Council must aim to provide this within its administrative area. The Council recognised this by declaring a climate emergency in May 2019, with the aim of taking a lead as an authority in tackling climate change. In November 2019 this was escalated to a Climate and Ecological Emergency.
- 15.15 Dorset Council's Natural Environment, Climate & Ecology Strategy (2023) includes a number of missions to support the strategy. 'Mission 1: Renewable Generation' identifies the deployment of renewables and storage to support the overarching mission of decarbonising the grid by 2035. Dorset Council published the Climate Change: Interim Guidance and Position Statement in December 2023. The Statement confirms battery storage infrastructure as forming a component of standalone renewable energy generation schemes. It notes climate change will be given significant weight as a material consideration in the balance when determining applications, in line with the legislative and national policy context.
- 15.16 The proposed BESS is 47.5MW. It would help to support local, national, and international targets through the provision of renewable energy supporting infrastructure, thereby reducing carbon emissions and helping to decarbonise the grid. The location, in close proximity to a substation, would reduce electricity losses compared to transmission of electricity over longer distances. It is confirmed that the Applicant has secured a Point of Connection (POC) from this specific site to the



Mannington Sub-Station from 30.05.2025 subject to planning permission. The proposal therefore has potential to make an early positive contribution towards the above objectives.

- 15.17 The environmental benefits have to be balanced against the environmental impacts of the development, including: embodied carbon in construction materials; associated transport emissions during construction and operation; and the partial development of a greenfield site with associated landscaping.
- 15.18 The proposal would provide storage for electricity generated that can be made available at peak usage times. This reduces the need to rely on using power stations that meet peak demand, some of which use fossil fuels and therefore have a harmful impact on the climate.

## 16.0 Planning Assessment

### Principle of development

#### *Principle of BESS development - Sustainability*

- 16.01 The Town and Country Planning Act 1990 (as amended) requires that applications for planning permission must be determined in accordance with the development plan unless material conditions indicate otherwise.
- 16.02 The Christchurch and East Dorset Local Plan does not reference planning policy in relation to battery storage, however in **Objective 3: To Adapt to the Challenges of Climate Change**, an aim of “at least 10% of total energy used on developments of 10 or more dwellings or 1,000 m<sup>2</sup> of non-residential floor space will come from decentralised, renewable or low carbon sources”, highlighting the need for alternative systems like battery storage to be put in place within the Dorset Council administrative area.
- 16.03 Policy ME3 states “Developments will be required to incorporate carbon emissions reduction, water and energy efficiency measures and to demonstrate they have explored a range of sustainable and low carbon options” and “In line with current government requirements and targets, all new development will ensure CO<sub>2</sub> emissions are minimised to practical and viable levels by following the hierarchy for regulated energy (unless it can be demonstrated that utilising measures further down the hierarchy will achieve greater carbon reductions):
1. Energy efficiency measures resulting from maximising building fabric performance, scheme layout and building orientation.
  2. On-site renewable, decentralised, and low carbon energy.
  3. Carbon reductions through off-site measures, known as ‘Allowable Solutions’ (to compensate for carbon emission targets that are difficult to achieve on site)”
- 16.04 Although not directly related to battery storage or renewable energy schemes themselves, Policy ME3 does advocate the transition to a low carbon future. BESS schemes would work to improve the overall efficiency of the Grid which could accelerate the adoption of more renewable energy schemes.

16.05 Policy ME5 states that *“The Councils encourage the sustainable generation of energy from renewable and low carbon sources where adverse social, environmental and visual impacts have been minimised to an acceptable level. Proposals for renewable energy apparatus will only be permitted where:*

- The technology is suitable for the location and does not cause significant adverse harm to visual amenity from within the landscape and views into it, and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty is in accordance with its current Management Plan;*
- It is in accordance with Policy ME1 regarding adverse ecological impacts upon the integrity of priority habitats or local populations of priority species and opportunities for biodiversity enhancement;*
- Cumulative impacts are taken into account, and assessments undertaken for impacts on the landscape, visually, the local amenity and biodiversity;*
- It would not cause interference to radar, or electronic communications networks, or highway safety;*
- It would not cause significant harm to neighbouring amenity by reason of visual impact, noise, vibration, overshadowing, flicker (associated with turbines), or other nuisances and emissions;*
- It includes an agreed restoration scheme, any necessary mitigation measures, and measures to ensure the removal of the installations when operations cease;*
- Safe access during construction and operation must be provided; and*
- It avoids harm to the significance and settings of heritage assets.*

16.06 Although not generating renewable energy the proposal would assist in managing supply and demand for renewable energy across the grid. Policy ME5 should be considered in conjunction with the Council’s Climate and Ecological Emergency Strategy which recognises electricity will need to be generated from renewable energy, and that therefore, inter alia, it is also essential to be able to store energy locally and manage supply and demand. The criteria under Policy ME5 regarding individual and cumulative impacts on landscape, visually, local amenity, biodiversity, neighbouring amenity, access safety and decommissioning are considered later in this report.

16.07 The National Planning Policy Framework (NPPF) also addresses climate change. Paragraph 8c of the NPPF notes that a key part of achieving sustainable development is “mitigating and adapting to climate change, including moving to a low carbon economy”.

16.08 Para. 157 of the NPPF specifically states that the planning system should support renewable and low carbon energy and associated infrastructure. Para. 162 notes that local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions and that such applications should be approved if the impacts are (or can be made) acceptable.

- 16.09 The National Policy Statement (NPS) for Energy (NPS EN-1) sets out national policy for nationally significant energy infrastructure and states that it may be a material consideration for any relevant application. Given the nature of this application officers consider that it is a material consideration here. The Overarching National Policy Statement (NPS) for Energy (NPS EN-1) is part of a suite of NPSs issued by the Secretary of State for Energy and Climate Change. It sets out the government's policy for delivery of major energy infrastructure. Paragraph 2.5.1 recognises that *"given the vital role of energy to economic prosperity and social well-being, it is important that our supplies of energy remain secure, reliable and affordable."*
- 16.10 Paragraph 2.3.6 of EN-1 notes that it is critical that the UK continues to have a secure and reliable supply of electricity as we transition to a low carbon economy. It is noted that to manage the risks to achieving security of supply we need sufficient electricity capacity to meet demand at all times and that electricity demand must be simultaneously and continuously met by its supply.
- 16.11 Paragraph 2.3.7 of EN-1 states that both demand and supply of electricity will increase in the coming decades and that existing transmission networks will have to evolve and adapt to handle increases in demand. Paragraph 3.7.4 states that new electricity infrastructure projects will add to the reliability of the national energy supply and provide crucial national benefits which are shared by all users of the system. Paragraph 3.3.3 develops this point noting that *"To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand"*.
- 16.12 The NPS EN-1 recognises the importance of energy storage in responding to climate change. Paragraph 3.3.25 states: *"Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated."*
- 16.13 Paragraph 3.3.27 continues: *"Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases."*
- 16.14 NPS EN-1 also identifies energy storage as having a key role in reducing electricity costs and improving energy security. Paragraph 3.3.25 states: *"Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher."*
- 16.15 The proposed development proposes infrastructure to support the National Grid in making more efficient use of energy, a significant proportion of which comes from renewable energy such as wind, which is erratic in its energy production. The battery facility allows energy to be stored at times of high production and low demand so that it can then be used at times when production is low but demand is high. It will help to use existing energy resources more efficiently. The principle of the proposed development, which will help to reduce greenhouse gas emissions, is consistent with

the aims and objectives of relevant Local Plan policies and provisions of the NPPF summarised above and is considered to be acceptable subject to all other material planning considerations of which an assessment is provided in this report and summarised in a planning balance exercise at the end of this report.

### Impact on the Green Belt

- 16.16 The proposed development would result in ‘harm’ to the Green Belt because it constitutes inappropriate development as defined by the NPPF and that harm attributes substantial weight in the planning balance.
- 16.17 Paragraphs 152 and 153 of the NPPF state that:
- *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”*
- 16.18 Paragraph 154 (g) states that an exception to the construction of new buildings as being inappropriate in Green Belt is:
- *“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*
- 16.19 Harm to the openness of the GB may be considered in both spatial and visual terms. Factors such as the visual impact of the proposal, its volume; the duration of the development, its remendability and any provisions to return land to its original state or to an equivalent and the degree of activity likely to be generated, such as traffic generation are all relevant considerations.
- 16.20 Given its 40-year life span, the development would be temporary, but this lengthy period would mean openness is reduced for a considerable period.
- 16.21 Paragraph 156 of the NPPF states that:
- *“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate Very Special Circumstances (VSC) if projects are to proceed. Such Very Special Circumstances may include the wider environmental*

*benefits associated with increased production of energy from renewable sources.”*

- 16.22 Policy ME5: Sources of Renewable Energy states *“The Councils encourage the sustainable generation of energy from renewable and low carbon sources where adverse social, environmental and visual impacts have been minimised to an acceptable level.”*
- 16.23 The submitted Planning Statement, Section 3 ‘Site Selection process’, sets out how the proposed site has been selected as the most suitable site in the area for the proposed BESS development. Table 3.1 ‘Strategic Sequential Site Selection Test’ (page 12-13) of the Planning Statement demonstrates the sieving process of National Grid substations UK-wide, identifying NG Mannington substation as feasible substation in terms of its available capacity to allow more connections. Section 3.2 and Table 3.2 ‘NG Mannington Substation: Key Parameters Site Appraisal’ (page 15) of the Planning Statement, identifies the proposed site as suitable site for the proposed development after site selection process reviewing land within 1km of the NG Mannington substation.
- 16.24 The applicant’s justification for this Green Belt location relates to connectivity to the National Grid and the lack of available brownfield or industrial sites within a 1 km radius. Officers understand that it is only possible to connect renewable development to the National Grid at certain points. This depends on both the infrastructure being available but also the infrastructure having the capacity to allow a new connection to the grid. This significantly limits the number of places in which renewable energy schemes can be located. The Mannington substation is one point at which there is an available connection. The substation is approximately 250m from the site and the cable route forms part of this application. Furthermore, given that the available land in the vicinity of Mannington substation is all within the Green Belt, the site selection could not avoid Green Belt location. The applicant has confirmed a secured grid connection at Mannington Substation, justifying the Green Belt location.
- 16.25 The proposed development would be capable of storing 47.5MW of electricity and it would allow the release of additional electricity into the grid during peak usage times. This would help reduce the reliance on gas fuelled power stations which are used to manage peak demand as per NPS EN-1 guidance.
- 16.26 The surrounding landscape has no protected designation and has a moderate value. Pylons, overhead power lines and large National Grid Substation influence the local landscape character and visual amenity, although generally the surrounding fields and rural forms of development retain an attractiveness through their generally open character which can be appreciated from public rights of way in the vicinity.
- 16.27 The nature of the proposal is such that it would have a harmful and urbanising effect on the natural environment on a temporary but nevertheless long-term basis. Landscape and visual effects will be mitigated to a degree by boundary hedges and additional planting which will screen the development and assist in mitigating the impacts on the open character of the surrounding landscape. There are no close range views of the site in full, however, partial long views of the site from the Holt

Road to the south/south east and Public Right of Way E45 to the south west/west are likely to open up during winter months with greater visual impact when considered in combination with the adjacent approved 3/21/0137/FULL BESS development and nearby NG Mannington substation.

- 16.28 The applicant is seeking to complement the existing screening by increasing an area of native thicket planting along the south-eastern site boundary to provide additional screening. The reduction in the number of proposed battery containers, as per amended plans received on 19.04.2024, has reduced the size of the overall BESS compound, which will enable a greater area of species rich meadow to be proposed outside the BESS compound perimeter fencing to the north-east
- 16.29 In this case, the proposed development is inappropriate as it does not meet any of the exceptions set out in NPPF paragraphs 154 or 155. In relation to impact on openness and conflict with the purposes of the Green Belt, given the temporary nature of the development (approx. 40 years), the low height design of the BESS compound (maximum 4.6m) and the mature screening around the site, plus the assessment that the visual impact of the development on the character of the landscape will be limited, it is concluded that the development would cause moderate landscape and visual harm but this would be contained and limited, and mitigation measures through additional planning would ensure that harm would be localised. Harm to the openness of the GB would therefore be moderately adverse
- 16.30 It is accepted that the proposal would make a contribution to energy security nationally. As aforementioned (paragraphs 16.23 and 16.24), other sites within 1km of NG Mannington substation have been explored but found unsuitable as more sensitive. Due to NG Mannington substation being located within the GB there was no possibility to explore sites outside the GB. It is acknowledged that here are limited sites suitable for development and the site chosen minimises as far as possible the impact on the openness of the Green Belt. Officers note that past appeal decisions nationally have given “substantial weight” to the benefit of contributing to reducing greenhouse gas emissions by providing a facility to store surplus energy. This would contribute to national goals to reduce carbon emissions. The storage of surplus energy and reduction in Carbon emissions will be considered in more detail below when assessing whether there are ‘very special circumstances’ in the next section of this report.

#### Green Belt – Very Special Circumstances (VSC)

- 16.31 The proposed development would result in ‘harm’ to the Green Belt because it constitutes inappropriate development as defined by the NPPF. That harm should be given substantial weight. The application can only be approved if there are VSCs which means that the harm to the Green Belt and any other harm from the development are clearly outweighed by other considerations.
- 16.32 The applicant has submitted a case for ‘very special circumstances’ (VSC) making the case that harm to the Green Belt is clearly outweighed by other circumstances as follows:
- *Need for energy storage facilities*

- *Site location and alternative sites*
- *Biodiversity and BNG*

- 16.33 It is acknowledged that the scheme provides a facility which would contribute to reducing greenhouse gas emissions by storing surplus energy and releasing it during periods of peak demand. Paragraph 156 of the NPPF recognises that VSCs may include the wider environmental benefits from increased renewable energy production. In this respect the proposal is considered to have wider national environmental benefits and will be attributed weight for this reason.
- 16.34 VSCs, associated benefits and associated harm in relation to this development is assessed in full in the planning balance section (Section 17) at the end of this report. In the interests of clarity, in ascribing weight to the material considerations in favour and against the development in the officer assessment below, the following scale will be used: **none, limited, moderate, significant and substantial**.

#### Need for energy storage facilities

- 16.35 The National Grid has a statutory duty to ensure that the supply of electricity in the UK remains within certain limits in relation to demand. The balance of supply and demand within the grid is known as System Frequency. Frequency is continuously changing as levels of electricity generation and consumption fluctuate and at times, the generation from baseload power stations is insufficient to meet demand when there are spikes in consumption. There are times when primary power sources are interrupted and baseload generation unexpectedly becomes unavailable.
- 16.36 Battery Energy Storage Systems (BESS) can bridge the gap in production, thus avoiding potential blackouts. They offer additional capacity to deal with system stress and any variations in grid frequency at both a local and national level. Overall, BESS assists the National Grid services in providing a means of allowing electricity from the grid to be imported and stored at times of low demand/high generation and then be exported back into the grid at times of higher demand/system stress. It is considered that the circumstances can be given substantial weight in the planning balance.
- 16.37 The scheme would comply with government guidance set out in the NPPF at paragraph 156, which recognises the wider environmental benefits associated with increased production of energy from renewable sources in the GB, and NPPF section 14 in supporting the transition to a low carbon future in a changing climate.
- 16.38 Significant weight should be given to the Government's initiative, national policy and the scheme's contribution to meeting a low carbon future in climate change by supporting renewable and low carbon energy and associated infrastructure in accordance with the NPPF 157.

#### Site location and alternative sites

- 16.39 As set out in the above paragraphs, it is acknowledged that, there are limited locations of a suitable grid connection. One such location is at NG Mannington substation where alternative brownfield/industrial sites have been explored within

1km of substation. The secured grid connection to this site has been confirmed by the applicant. The immediate local landscape is influenced by the large Mannington electrical substation, several pylons across the site and surrounding area and an industrial site which already benefits from BESS planning consent. There is an existing access track connecting the proposed and approved BESS location with Holt Road to the south, comprising of bare ground and hardstanding. Holt Road itself, along which the proposed cable route runs, comprises of hardstanding. It is considered that the location of the site in close proximity to the NG Mannington substation and the secured grid connection can be given substantial weight in the planning balance.

### Biodiversity

- 16.40 The application is supported by a Biodiversity Plan (BP) that has been agreed by the Council's Natural Environment Team (NET) on 30.05.2024. The BP outlines a range of measures to deliver biodiversity net gains, including grassland, mixed scrubs, individual trees and hedgerows habitats will be created, and areas of other neutral grassland will be enhanced.
- 16.41 This application was validated on 23 November 2023 and therefore Biodiversity Net Gain (BNG) requirements do not apply. However, a biodiversity metric has been submitted with the application. Overall, the development proposals would result in an 11.88% net gain of habitat area biodiversity units in line with policy requirements. A gain would also be achieved in hedgerow units.
- 16.42 The implementation and creation of habitats post-development will be outlined in a Landscape Ecological Management Plan (LEMP) which is conditioned (Condition 18). The LEMP will include detailed drawings, management objectives and prescriptions and timetables, as well as a plan to define who is responsible for activities for both on-site and off-site habitats; management plan for all habitats at the site and necessary interventions should habitats fall short of their desired future condition.
- 16.43 The BP also sets out mitigation measures regarding bats which includes that no trees identified on site with potential to support roosting bats will be removed; noise and vibration will be controlled by limiting working hours to 7am/7pm during construction; construction lighting would be also controlled by working hours especially in winter months when the light is limited; there will be no permanent light within the site and passive infrared (PIR) lighting will be designed to be downward facing to minimise any light-spill. The Council's Natural Environment Team have been consulted on these measures and confirmed that they are appropriate.
- 16.44 Subject to full implementation of the approved Biodiversity Plan dated 30.05.2024 (Condition 15), the Dorset Council Natural Environmental Team has no objection to the proposal and overall, it is considered that the impacts on ecology and biodiversity from the proposed development will be acceptable. In addition, other benefits associated with biodiversity, and landscaping such as a net gain of 11.88% in habitat areas and a net gain in hedgerows units are also taken into consideration. BNG is considered as part of the planning balance and it is attributed significant weight.



Landscape and visual impact

- 16.45 This application is supported by a Landscape and Visual Assessment (LVA) which provides an assessment of the potential effects of the proposed development on the existing landscape and visual amenity of the application site and surrounding area. The LVA is based upon a 1km radius for the consideration of potential landscape effects and a 2km radius for potential visual effects.
- 16.46 The application site falls within the National Character Area (NCA) 135 Dorset Heathland. At a finer detail, its host Landscape Character Type (LCT) is the Heathland/farmland mosaic LCT. Other LCTs within the 1km study area include Valley Pasture LCT, Rolling Wooded Pasture LCT and Lowland Heath LCT. The East Dorset Landscape Character Assessment sub-divides Landscape Character Types into Landscape Character Areas (LCAs). The site is located in Horton Common - Three Legged Cross Heath/Farmland Mosaic LCA.
- 16.47 The application site is not located within any nationally designated landscape, nor is it within the setting at 4km from the Dorset National Landscape, and does not exhibit any special qualities which elevate its value beyond that of everyday landscape. The Cranborne Chase National Landscape (formerly known as AONB) lies approx. 4km from the site at its closest point. The Holt Heath sub area of the Woodlands AGLV lies approx. 70m to the SW of the site.
- 16.48 In terms of roads and recreational routes, including Registered Common land, there are:
- Several short public rights of way (PROW) including footpaths and bridleways within the study area (to the N of the site includes Bridleways E46/12, E46/30 and E46/32 and Footpath E46/10)
  - PRow network to the S/SW of the site includes Bridleway E45/71 and Footpaths E45/9, E45/68, E45/1 and E45/6.
  - A number of roads passing close to the application site including Holt Road; Burts Lane approx. 600 m to the west and Horton Road approx. 500 m to the north.
  - Registered Common land at Mannington Heath is located approx. 55m to the N of the site at its closest point; and
  - Open Access Land at Mannington Heath (which is also SSSI, SPA, SAC and Ramsar site) is located approx. 75m to the N of the site at its closest point.
- 16.49 The LVA itself contains an assessment of the landscape and visual effects of the proposed development, including cumulative effects in association with other existing/planned similar renewable energy developments within a 5m radius of the site and impact on the Green Belt.
- 16.50 With regards to 'Landscape effects' the introduction of the proposed development will locally alter the existing agricultural use of the application site to a landscape comprising a battery storage facility (BESS) with associated infrastructure. A large scale change would also typically be experienced within immediately adjoining fields.

Beyond the site boundaries, the scale of change would largely reduce to small as screening and/or filtering is present and as mitigation planting matures.

- 16.51 The LVA identified that there will be minimum loss to existing landscape features including the removal of five trees along access track to facilitate construction access. No further tree or hedgerow removal is anticipated for either construction or operational traffic access. No other existing vegetation (trees or hedgerows) would be removed as a result of the proposed development. During operation, the proposed development will have a minor adverse landscape effect on the characteristics of the application site. Some beneficial elements including compensatory heavy standard tree, new hedgerow planting and thicket (woodland edge) planting; rich grassland, semi shaded grassland and wetland and enhancements of the existing which will help integrate the proposed development within the wider landscape.
- 16.52 The LVA notes that the proposed development will directly affect the East Dorset Heathland/farmland mosaic LCT and will result in a Battery Energy Storage Facility located over approx. 0.9 hectares of this landscape (main development boundary, within existing compound). This will result in a moderate localised direct minor adverse landscape effect and a no change effect across the wider extents this landscape.
- 16.53 With regards to 'visual effects', the potential views of the proposed development within the local landscape will be limited to a small number of the nearest neighbours (receptors) on the access to the stables directly northeast of the application site. The visibility of the BESS will be largely contained by the low heights (max. 4.6m) of the proposed development, the mix of hedgerows and trees within the boundaries of the application site and surrounding farmland, along with screening by built elements and local topographical variations.
- 16.54 Whilst the BESS compound would be enclosed by mesh/timber perimeter/acoustic fencing, at 3m and 4m high this fencing would have a significant visual impact, and taller components of the BESS development would still be visible above the top of the fencing. Furthermore, the fencing and the external Distribution Network Operator building (DNO) would all have a functional, urban appearance which would not be sympathetic to the rural character of the setting.
- 16.55 Adverse visual effects would be experienced by residential properties at Willow Cottage and The Copse, and sensitive visual receptors using Holt Road including people walking along the road to access the local Public Rights of Way network and local amenities including the school in nearby Three Legged Cross, especially in winter when there would be no leaves on intervening vegetation.
- 16.56 The proposed mitigation planting would adequately compensate for the removal of existing vegetation and would contribute to the enhancement of landscape condition across the wider site area; however, it is necessary to impose condition requesting additional planting is required to adequately screen the development. (Condition 21)
- 16.57 With regards to 'Cumulative Impact', the LVA notes that although there are existing elements of energy infrastructure within a 2km radius of the proposed development,

including the adjacent BESS site, Mannington Substation, Wedgehill Solar Farm and a pylon line, the cumulative effects are limited to localised interactions with existing elements of energy infrastructure which will result in a localised minor adverse cumulative landscape effect on the Heathland/farmland mosaic LCT. Cumulative visual effects will also be limited and will range from very localised minor adverse effects to no change.

- 16.58 It is considered that the findings of the LVA are appropriate. The overall design of the proposed development has considered its setting within the confines of the East Dorset Heathland/farmland mosaic LCT to ensure the potential effects upon landscape and visual receptors are limited. The siting of the proposed development within the limits of the existing boundaries comprising mature vegetation and adjacent BESS development will help to integrate the proposed development within the local landscape.
- 16.59 The relatively low elevation of the application site, low heights of the various proposed structures, and presence of existing vegetation across the landscape of the immediate and wider area would significantly help to screen potential inward views of the proposed development from the majority of visual receptors. The direct views of the proposed development are limited to a very small number of neighbouring receptors within relatively close proximity to the site.
- 16.60 The Council's Landscape Officer broadly agrees with the conclusion of the LVA. The necessity for the proposed development to be in close proximity to existing National Grid infrastructure limits the number of sites that are available for the proposed BESS development. As mentioned previously in this report, an extensive site selection process rejected the most sensitive exposed sites in landscape terms due to specific requirement for BESS developments to be located within 1km of National Grid infrastructure. It is close to the Three Legged Cross and Holt Heath AGLV, and there are also nearby areas of Open Access land, Registered Common and Public Rights of Way.
- 16.61 The Three Legged Cross Heath/Farmland Mosaic Landscape Character Area where the site is located is however relatively well contained, and open views are not a key characteristic - longer views of the proposed development from publicly accessible areas would generally be screened by intervening landform and existing vegetation.
- 16.62 As previously noted, the additional planting to south eastern boundary would mitigate the visual impact caused by the acoustic/timber fencing and the external DNO building, as such it is not considered that this would cause significant adverse impacts to visual amenity. Officers note that the development is temporary and therefore reversible. The Council's Landscape Officer is supportive of the principle of the development in strictly landscape terms, though this is subject to the provision of the additional planting, a LEMP, the colour of the water tank and materials for the proposed buildings. The concerns raised by the Landscape Officer regarding the disposal of excavated materials, including that from the attenuation pond has been resolved via e-mail dated 21.06.2024 from the applicant confirm that all excavated materials from the development will be disposed off-site. Even with the proposed mitigation, the proposal would cause limited landscape harm but subject to the above

mentioned conditions the proposal is considered to be acceptable in landscape terms. (Conditions 6, 7, 21)

- 16.63 Taking into consideration the location of the development, mature screening and proposed landscape mitigation measures, it is considered that individual and cumulative impacts on landscaping is attributed limited weight in the planning balance.

Impact on the character of the area

- 16.64 As previously noted in this report, the site is located within a rural landscape of Mannington. Surrounding landscape is rural with a mixture of woodland, hedgerows, heathland, farmland, and some scattered residential properties with the exception of the Emmers Farn and Mannington Substation which are industrial sites. Dorset Heathlands Ramsar and SPA, Dorset Heaths SAC and Holt and West Moors Heaths SSSI are located approximately 150m north of the site and 240m to the south of the site. A Grade II listed bridge lies approximately 160m to the south of the site Scheduled Monument 'Bowl barrow on Summerlug Hill 250m south of Mannington Farm', which lies approximately 520m to the south of the site. The Dorset Area of Great Landscape Value (AGLV) lies 70m to the south of the site. The application site is not in the Dorset National Landscape (formerly AONB) and is some 4 km from site.
- 16.65 The site itself is agricultural field with an electricity pylon present in the west-central section of the site, running west to east and a linear cable run feature connecting to a substation to the south. Site is suitably well screened by existing mature vegetation. With relatively low heights (max. 4.6) of the various proposed structures, including perimeter/acoustic fencing, it is considered, the siting of the proposed development within the limits of the existing boundaries comprising mature vegetation will help to integrate the proposed development within the local landscape and will not have a negative impact on the character of the area. An appropriate condition securing additional planting to south east corner of the site is necessary to enhance the appearance of the development. (Condition 21)
- 16.66 Furthermore, the proposal is temporary (40 years) and thereafter reversible. Therefore, the long term impact to the character of the area is attributed limited weight in the planning balance.

Impact on neighbouring amenity - Noise

- 16.67 There are no residential properties immediately adjacent to the application site, the nearest properties being Willow Cottage off Holt Road some 85m and The Copse some 250m to the south east from the nearest battery container. While it may be possible to have limited views of the site in winter the outlook from neighbouring properties will be little affected.
- 16.68 The key issue in terms of potential amenity impacts relates to noise. The site is in a tranquil, rural location away from notable noise generators except for the existing Mannington electrical substation from which, at the time of the officer site visit, there was an audible hum emitting. The design of the BESS compound includes acoustic

fencing around the southern, eastern, and western borders, mitigating any potential noise impacts on nearby residential receptors.

- 16.69 A Noise Impact Assessment (NIA) dated November 2023 was produced to accompany the application and assess both the proposed development individually and cumulatively with the neighbouring consented BESS. The NIA results demonstrated that all receptors (neighbouring properties) within the 250m radius had a low impact, with the exception of one receptor (Willow Cottage) which would have an adverse impact and therefore, mitigation is required for the proposed development.
- 16.70 The applicant has submitted updated Noise Modelling Results for Battery Storage Facility dated 01.07.2024. This technical note presents revised noise modelling results for the BESS to demonstrate if through a scheme of acoustic mitigation, a low rating level can be achieved during the night-time at NSR1 (Willow Cottage).
- 16.71 The noise modelling has been undertaken in response to feedback from the EHO, addressing concerns about night-time noise levels and demonstrating the low rating level requested by the EHO in their consultation response can be achieved, based on the cumulative impacts when considering the application site and the adjacent consented BESS development.
- 16.72 The proposed mitigation measures to achieve night-time rating levels no more than 35dB *L<sub>ar,Tr</sub>* at the nearest noise sensitive receptor (Willow Cottage) includes:
- Reduction in operational units - The number of operational battery units during the night-time period to be reduced to only four battery banks (and 4 x inverters, and 2 x transformers) in the north western part of the site will be operational.
  - Inverter noise reduction - An 11dB reduction could be applied to the sound power level of the inverter. This could be achieved by a reduction in fan speed during the night-time and a noise attenuation kit.
  - Battery noise reduction - A 10 dB reduction could be applied to the sound power level of the battery unit. Again, this could be achieved by a reduction in fan speed during the night-time and a noise attenuation kit.
- 16.73 The results from the above noise modelling mitigation measures shows that the specific sound level from the proposed BESS at Willow Cottage in the worst case scenario would be 23dB *L<sub>ar,Tr</sub>*. When considering the cumulative impact with the adjacent consented BESS (plus a 2dB character correction), it will result in BS 4142 cumulative rating level at 35dB *L<sub>ar,Tr</sub>*. This is considered a 'low' rating level as per the Association of Noise Consultants (ANC) technical note on BS 4142, ensuring compliance with the night-time noise criteria.
- 16.74 Following an initial objection from Environmental Health Officer (EHO), the EHO has confirmed the updated Noise Modelling Results for Battery Storage Facility received on 01.07.2024 has demonstrated that a cumulative (all plant permitted by applications 3/21/0137/FUL and P/FUL/2023/06578) rating level of no more than 35dB *L<sub>ar,Tr</sub>* at the nearest noise sensitive receptor can be achieved. Accordingly, the EHO has confirmed removal of its objection subject to condition (Condition 9) that require the design and construction of the development to include mitigation to

ensure the above noise criteria are achieved and maintained throughout the development lifespan. Further conditions (Condition 8) regarding contaminated land and construction management (Condition 23) are also necessary to be imposed to this consent to ensure any possible risks from contamination are minimised.

- 16.75 With the 'low' rating noise levels achieved as demonstrated above and mitigation measures proposed to be secured via planning condition (Condition 9) the proposal would not have an adverse impact on residential amenity in accordance with Policy ME5 of the Christchurch and East Dorset Core Strategy (2014).
- 16.76 Taking into consideration the nature of development, presence of NG Mannington substation, mitigation measures proposed, it is considered the impact on neighbouring amenities regarding the noise is attributed limited weight in planning balance.

#### Highway impacts, safety, access and parking

- 16.77 The site will be accessed via the existing access, off Holt Road. The applicant has provided a swept path analysis that shows the largest vehicles needed to access the site will be able to negotiate the radii of the existing bell-mouthed junction, and drawings confirm that the appropriate visibility splays for the junction can be achieved.
- 16.78 The application is supported by a Transport Statement, which has been accepted by the Highway Authority as being appropriate and robust. It considers the impact of the traffic associated with the proposed development on the local highway network.
- 16.79 The applicant has stated that once operational the site will be unsupervised and only encounter low traffic levels with a maximum of one or two visits per week by car or van, for maintenance and inspection purposes. It is therefore anticipated that there will be no long-term operational traffic impact as a result of the proposed development.
- 16.80 The main impact will be during the construction phase, this is expected to last 10-12 months. Construction is expected to generate a worst-case scenario of 54 two-way vehicle movements per day, construction vehicles will be routed northwards up to Horton Road. It is considered that the proposed routing is suitable to accommodate the predicated development traffic.
- 16.81 The Council's Highways Team have been consulted on the proposals and they have confirmed that the submitted Transport Statement is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 110 and 111 of the National Planning Policy Framework (NPPF), September 2023.
- 16.82 The Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has raised no objections, subject to planning conditions requiring visibility splays, manoeuvring, parking and loading areas, construction traffic management plan and wheel cleaning

facilities to be submitted. (Conditions 23, 24, 25, 26) Officers therefore consider that the proposals are acceptable in relation to highway safety.

In relation to access the proposed is considered to accord with policy KS11 of the Core Strategy and is considered neutral in the planning balance.

#### Health and safety – Fire Safety

- 16.83 Fire risk and associated impacts of any battery storage facilities have become principal concerns in terms of health and safety.
- 16.84 The NPPF notes Local Planning Authorities must determine applications on planning grounds only. Whilst fire risk can be associated with almost all types of development it is not routinely assessed at the planning application stage as potential implications are managed under other regulatory frameworks and regimes, such as Building Regulations and the Environmental Protection Act. However, given the nature of the development, providing lithium-ion battery storage, health and safety is a material planning consideration so far as it relates to land use planning. It should also be noted that the proposal does not constitute a building for the purposes of the Building Regulations, and so the requirement to comply with the fire related aspects of Building Regulations does not apply.
- 16.85 The NPPF notes Local Planning Authorities should *'consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them'* (Para. 45). This application is not for or within the consultation criteria of a major hazard site, and so does not fall within the remit of the Health and Safety Executive (HSE). Appropriate bodies have been consulted in respect of health and safety matters.
- 16.86 Of relevance to health and safety considerations is planning policy ME5, which notes inter alia that development proposals will only be permitted provided *'It would not cause significant harm to neighbouring amenity by reason of visual impact, noise, vibration, overshadowing, flicker (associated with turbines), or other nuisances and emissions.'*
- 16.87 The NPPF more generally promotes healthy places and notes decisions should *'promote public safety and take into account wider security and defence requirements'* (Para. 101). In respect of pollution, the NPPF states decisions should also ensure *'new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development...'* (Para. 191).
- 16.88 National Planning Practice Guidance establishes guidance to Local Planning Authorities in the assessment of applications for battery storage (034 References ID: 5-034-20230814 and 035). It recommends consultation with the local Fire and Rescue Service (FRS) and consideration of guidance for FRS' published by the National Fire Chiefs Council (NFCC) entitled 'Grid Scale Battery Storage System Planning'.

- 16.89 The NFCC guidance recognises BESS developments are a fundamental part of the UK's move toward a sustainable energy system and recognises the potential for fire. It notes the NFCC's expectation is that a comprehensive risk management process must be undertaken by operators to *'identify hazards and risks specific to the facility and develop, implement, maintain and review risk controls. From this process a robust Emergency Response Plan should be developed.'* The guidance is wide ranging. It includes a number of recommendations relevant at the planning stage (such as access and layout) as well as detailed design and site management recommendations (such as venting and signage). The guidance explains that every BESS development is different and states a FRS should not limit themselves to the content of the guidance noting reference may be made to other guidance and standards including the internationally recognised guidance of the National Fire Protection Authority (NFPA) (2023) – Standard for the Installation of Stationary Energy Storage Systems ('NFPA 855').
- 16.90 In accordance with the Council's consultation protocol, the Dorset & Wiltshire Fire and Rescue Services (DWFRS) has been consulted at the request of planning officers. The initial response from DWFRS has resulted in request for additional information to be submitted regarding design, access, turning of emergency vehicles on site, water supply, site access and spacing between BESS units.
- 16.91 The applicant has submitted amended site layout plan on 19.04.2024. The amended site layout plan contains the reduced number of battery containers within each row of batteries from 6 to 5, reducing the overall total number of containers required from 78 to 65. The reduction in the number of batteries does not reduce the maximum storage capacity of the BESS which remains at 47.5MW which will be addressed by the battery model. Battery container dimensions also remain unchanged.
- 16.92 The proposed site layout plan has been amended to address statutory consultee comments from DWFRS in respect of fire safety. Comments received from DWFRS pertained to ensuring suitable emergency water supplies were available onsite, further considerations for site access, and site design. In response to DWFRS comments, a water tank is proposed within the updated site layout plan, located adjacent to the eastern access gate for the BESS compound.
- 16.93 The proposed water tank can store the recommended volume of water of 1,900 l/min for at least 120 minutes. The additional access track and second gate providing access into the opposite end of the BESS compound are also detailed as requested by DWFRS. The additional access tracks loop through the BESS compound and around the outside of the southern acoustic perimeter fencing. The additional access ensures two points of access into the BESS compound are available in accordance with National Fire Chiefs Council (NFCC) Guidance and addresses matters raised in the DWFRS consultation response. A service vehicle passing place will also be provided to the south of the eastern access gate to the BESS compound.
- 16.94 The applicant has also submitted a Battery Safety Management Plan dated April 2024 which details the risk management of the BESS. This document sets out the most relevant guidance and legislation relating to the construction, operation, and decommissioning of BESS in the UK. It demonstrates that the design approach has considered the latest guidance released by the UK National Fire Chiefs Council,



NFPA 855, and the FM Global Property Loss Prevention Data Sheet 5-33. It confirms the statement has been informed by consultation responses and it also highlights how proposed BESS could be constructed, operated and decommissioned safely.

16.95 For this BESS development, the exact battery model would be chosen post planning decision since the technology is constantly improving. This is in line with NFPA 855 guidance mentioned above, which does not require information regarding the exact model of proposed battery prior to planning consent being issued, however information regarding the battery chemistries being proposed is a requirement. In this case, the applicant has confirmed in submitted Battery Safety Management Plan (Table 3.1, page 8), the proposed battery will be Lithium-ion Phosphate (LFP), prismatic within close containers. The applicant (Pivoted Power LLP) is a 100% owned subsidiary of EDF and as part of their own internal procedures they undertake a risk analysis for new and existing suppliers of the equipment required.

16.96 The Applicant utilises an extensive multiphase qualification process which evaluates safety, quality control and assurance, testing, Research and Development (R&D), and a range of other criteria for new and existing suppliers. Supplier factory audits are also a key component of the qualification process. A specific aspect for BESS suppliers is the testing and certification of their cell, module, and Battery Management System (BMS) and the barriers designed within their equipment package to reduce the fire risks.

16.97 Battery Safety Management Plan advises the following fire safety measures have been incorporated into the design of the proposed BESS:

- Detection and Monitoring

16.98 The BESS containers will be protected and monitored by an in-built battery management system (BMS) which will ensure the batteries operate within safety limits and should the batteries exceed safe limits, the BMS will issue alarms and stop operation. The BESS containers are protected by an in-built fire safety system comprised of sensors, monitoring PLC, fire alarm control panel (FACP), fire suppression, and deflagration mitigation.

16.99 Furthermore, each enclosure would be equipped with photoelectric smoke detector; CO sensor (carbon monoxide detector); and H<sub>2</sub> sensor (gas detector). Each container row would be equipped with a fire alarm control panel. The smoke detectors would be networked to the control panel which would trigger an alarm if components are offline and/or in a failed state and following activation of a smoke detector.

16.100 The proposed BESS would be continually monitored by a 24/7 Emergency Management system (EMS) linked to the BMS. This will allow the system to be remotely close down the installation, disconnecting the power connection to minimise the risk of any fire hazard developing. If the operator identifies thermal runaway conditions, the ERP would be exercised and DWFRS engaged as necessary.

- Suppression Systems

19.101 All battery enclosures would have fire walls that can withstand fire exposure for 120 minutes without failure which will prevent fire from spreading to adjacent area. The firewalls assist with fire suppression through containment; time for fire suppression (like sprinklers or gas-based systems) to activate and extinguish the fire and provide emergency responders with more time to arrive and manage the situation; minimising damage; and thermal insulation that would prevent heat from affecting adjacent areas and to avoid thermal runaway in other battery cells or units.

- Deflagration Prevention and Venting

16.102 The battery enclosures would be fitted with a roof mounted deflagration panel that redirects forces created as a result of an explosion upwards. The panels use H<sub>2</sub> sensors designed to vent rapidly in the event of deflagration which is a type of explosion where the combustion propagates through a gas.

16.103 A ventilation system would be included to purge any vented flammable gases and would be activated by the H<sub>2</sub> sensor. Once H<sub>2</sub> is detected inside the enclosure, the sensor triggers the operation of the ventilation fan to purge the gases within the enclosure. The deflagration panels also assist with fire suppression.

- Access

16.104 The existing access from Holt Road will be utilised and it is suitable for HGV's hence also suitable for emergency vehicles. Two gates will provide access to opposite ends of the BESS compound with 4.7m wide access tracks forming a loop through the compound and around the outside of the acoustic perimeter fencing to the south. A service vehicle passing place is situated to the south of the eastern access gate for the BESS compound. During operation, access tracks will be kept clear of obstruction at all times. Two turning hammer heads have also been included within the layout design to allow for turning within the BESS compound.

- Water supplies

16.105 The design includes a water tank to the south of the eastern access gate into the BESS compound as provision for water supply in the event of a fire. The water tank has been positioned more than 10m from the nearest battery container and has been designed to deliver a water volume of no less than 1,900 litres per minute for at least 2 hours.

16.106 The submitted Battery Safety Management Plan includes recommendations for firefighting noting fire crew should allow a battery to burn itself out, rather than seeking to extinguish the fire. This is consistent with NFCC guidance which states, water would be used as a defensive firefighting strategy on adjacent equipment to prevent the fire spreading to adjacent equipment.

- Site security and layout

16.107 A perimeter fence and locked gates would prevent unauthorised access to the BESS compound and be regularly inspected to ensure they are in a good state of repair. Infra-red CCTV cameras facing into the compound would also monitor the proposed site and signage around the external perimeter would be erected to warn of high-voltage equipment etc.

- 16.108 As part of the emergency response plan, DWFRS would have the relevant codes to access the compound in the event of an emergency. Dorset and Wiltshire Fire and Rescue Services have stated that they are content the site layout achieves the objectives of NFPA 855.
- 16.109 As previously mentioned, the site design has been informed with regard to safety. As noted by the Department for Energy Security and Net Zero (DESNZ) Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems (April 2024), guidance on appropriate separation distances varies across existing guidance documents. The battery containers are arranged into banks with spacing of 3.5m. Each pair of battery containers banks are spaced approximately 6.6m away from adjacent pairs and approximately 4m between enclosed battery pairs and associated inverters/transformers. NFPA 855 recommends a 3.1m spacing between container banks with the opportunity to reduce this to 3ft (0.914 m) where design mitigations have been implemented such as large-scale fire testing (complying with UL 9540A or equivalent) or use of non-combustible walls/containers with a 2-hour fire resistance rating (in accordance with ASTM E119 or UL 263).
- 16.110 It is noted that the UK NFCC recommends 6m spacing between containers unless suitable design features can be introduced to reduce that spacing. Within the Proposed Development, each battery enclosure has a firewall rated IE60 which provides a 120 minutes firewall between battery compartments from enclosure to enclosure and allows the separation distance between enclosures to be reduced from 6m. Furthermore, the FM Global 5-33 report reference in the NFCC Guidance has since been updated to reflect a reduced separation distance of 1.5m. As noted above, the proposed battery units include extensive mitigation measures and comply with the current fire safety legislations/guidance as listed above.
- 16.111 Any vegetation that naturally seeds within the Proposed Development's lifespan within the BESS compound would be removed and no planting of hedgerows or trees are proposed within 10m of the battery containers as per NFCC guidance.
- 16.112 It should be also noted, the battery units comprising the proposed development and the consented neighbouring BESS (3/21/0137/FUL) have more than sufficient intervening distance (approx. 100m) to prevent the spread of fire between the two developments. The proposed BESS has been designed in accordance with the latest standards for BESS layout designs and fire safety standards.
- 16.113 In respect of distance to residential properties, the NFCC guidance notes distances between BESS units and occupied buildings/site boundaries will vary. It recommends an initial minimum distance of 25m prior to any mitigation and notes reduced distances may be possible in rural settings. The closest residential property is located approximately 85m away. This indicates the site is appropriately sited in relation to residential properties. Given the agricultural and industrial nature of surrounding land uses, the closer proximity between the battery enclosures and the southern (approx. 50m) and the eastern (approx. 60-91m) site boundaries are considered to accord with guidance.

- 16.114 As previously mentioned, the site would be accessed by two access points to the south and west which is in line with the NFCC guidance to account for opposite wind directions/conditions.
- 16.115 The Applicant has consulted with DWFRS throughout the planning process and has worked with DWFRS to ensure they are content with the layout design. The layout was updated in April 2024 in response to DWFRS comments. In their latest correspondence on the 29th of April DWFRS stated: *'DWFRS note the improvements to the site design for firefighting provision on site with the inclusion of a perimeter road following the outside of the southern and western site boundary. On the basis that procurement of the battery units includes an ongoing assessment of the suitability of the fire engineered solution regarding spacing of containers, DWFRS are satisfied this achieves the objectives of NFPA 855.'*
- 16.116 Due to the nature of battery storage facilities, the risk of fire could not be fully eliminated however, with the proposed mitigation measures in place as described above, a fire is not considered likely. If a fire were to occur it is considered appropriate measures are secured for the fire service to deal with the situation.

Notwithstanding the already submitted BESS Safety Management Plan and given the evolution of technology, it is appropriate to secure a Risk Management Plan (RMP) and Emergency Response Plan (ERP) via planning condition (Condition 27).

The RMP should provide advice in relation to potential emergency response implications, such as:

- The hazards and risks at and to the facility and their proposed management.
- Any safety issues for firefighters responding to emergencies at the facility.
- Safe access to and within the facility for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
- The adequacy of proposed fire detection and suppression systems (e.g., water supply) on-site.
- Natural and built infrastructure and on-site processes that may impact or delay effective emergency response.

The ERP should be developed to facilitate effective and safe emergency response and should include:

- How the fire service will be alerted.
- A facility description, including infrastructure details, operations, number of personnel, and operating hours.
- A site plan depicting key infrastructure: site access points and internal roads; firefighting facilities (water tanks, pumps, booster systems, fire hydrants, fire hose reels etc); drainage; and neighbouring properties.
- Details of emergency resources, including fire detection and suppression systems and equipment; gas detection; emergency eyewash and shower facilities; spill containment systems and equipment; emergency warning systems; communication systems; personal protective equipment; first aid.

- Up-to-date contact details for facility personnel, and any relevant offsite personnel that could provide technical support during an emergency.
- A list of dangerous goods stored on site.
- Site evacuation procedures.
- Emergency procedures for all credible hazards and risks, including building, infrastructure, and vehicle fire, grassfire, and bushfire

16.117 As a part of ERP, DWFRS would have the relevant codes to access the compound in the event of an emergency. The ERP would be reviewed and updated throughout the BESS's lifespan to ensure it remains fit for purpose.

16.118 The above emergency plans should be produced in conjunction with DWFRS. Dorset Council would consult with DWFRS when details are submitted for approval pursuant to the condition. Subject to condition, officers are satisfied that the health and safety matters of the development are acceptable and comply with current fire safety regulations/guidance. (Condition 27)

Taking into consideration proposed measures regarding fire safety and health and safety respectively is considered neutral in planning balance.

#### Flood risk and drainage

16.119 The site and the access route fall within Flood Zone 1 and have low risk of flooding. Groundwater levels are between 0.025m and 0.5m below the ground surface within eastern part of the site. The mapping suggests that there could be a risk of groundwater emergence and risk to subsurface assets. The Lead Local Flood Authority (LLFA) has reviewed the surface water proposals by the applicant and following an initial holding objection, the LLFA confirmed the additional information submitted provides the clarification required to substantiate the surface water discharge route.

16.120 The majority of the surface surrounding the battery stores is proposed to be constructed from permeable materials, however except the battery units themselves, associated inverters/transformer units, a substation etc which will produce some additional runoff, additional impermeable liner would also be installed to prevent contaminated runoff from affecting groundwater hence all the main equipment areas will be considered impermeable and runoff from these areas will be attenuated. The proposed SuDS for the site include a combination of permeable paving and attenuation basin. The proposed SuDS features are designed to provide the required storage volume to retain the 1 in 100 plus 25% climate change event.

16.121 The outfall option is a gravity connection down the site entrance road and connecting to the existing culvert crossing the site entrance which will allow surface water to be drained to the south following the existing culvert beside Holt Road to the watercourse to the south. Invert level details of the existing assets have been identified and a gravity connection appears to be viable and acceptable by the LLFA.

- 16.122 The management of polluted surface water for fire-fighting runoff will be discussed in the next section of this report.
- 16.123 All battery infrastructure including the access road is proposed to be located in areas of lower flood risk. The LLFA has withdrawn their objection and confirmed that subject to planning conditions securing the surface water management and maintenance scheme, the proposal is acceptable from a surface water perspective and would not generate flooding through surface water run-off or exacerbate flooding elsewhere (Conditions 16, 17; Informative note 3).

Proposed drainage strategy is considered neutral in the planning balance.

### Pollution

- 16.124 The development would not generate unacceptable pollution, odour detrimental emissions or associated impacts during normal operation. There is however a risk of such impacts in the event of a fire and thermal runaway.
- 16.125 The applicant has responded to initial concerns raised by the Environment Agency (EA). A revised Flood Risk Assessment & Surface Water Drainage Strategy includes specific consideration to the potential volumes of firefighting water that could be used in the event of a fire, and the containment of this runoff to prevent contamination of the underlying aquifer and local watercourses.
- 16.126 The system will be automated so that the system is instantly isolated in the event of a fire once an alarm is raised. The chamber/valves would be closed during a fire incident to contain contaminated firewater within the proposed attenuation system. After the fire event it would then be tankered offsite for treatment. The isolating sub-base located around the battery units will incorporate an impermeable liner, which will prevent infiltration into the ground thereby mitigating the risk of contamination of the aquifer from firewater. Given the possibility of chemical leaking during a sufficiently serious fire incident this may result in firewater runoff being contaminated with corrosive components. The pipes of the drainage network will therefore be constructed from materials proofed against corrosive water in order to prevent structural compromise or leaking contaminated water from joints in the system.
- 16.127 The Environment Agency has been consulted and is content with the existing layout design and has now removed its objection to the development subject to conditions. These conditions relate to surface water drainage and pollution control. It is noted that contamination of land would be managed under separate legislation, notably the Environmental Protection Act, with the precise method of remediation depending on the nature and extent of contamination. Accordingly, with the recommended conditions imposed the proposal is not considered to give rise to concerns with pollution. (Conditions 10, 11, 12, 12; Informative note 1, 3)

Environmental Protection measures mitigate for the proposed development and are therefore considered neutral in the planning balance.

Other matters

*Impact on Protected Habitats - Dorset Heathlands*

- 16.128 The application site lies outside of any environmental designations. The Dorset Heathlands Special Protection Area (SPA) and Ramsar Site, as well as the Holt and West Moors Heaths SSSI, which forms part of the Dorset Heaths Special Area of Conservation (SAC) are located approximately 150m north of the application site at their closest point. Additionally, Holt Heath National Nature Reserve (NNR) is located c. 240m south. The proposed use will not increase recreational pressure on the heathland, which is identified in the Heathlands SPD as causing harm to it. Given this, and that the development does not encroach onto the Ramsar site, Natural England have not objected to the proposal. An appropriate assessment has concluded that the proposal is not likely to have a significant effect on the Dorset Heathlands.
- 16.129 The proposed use will not increase recreational pressure on the heathland, which is identified in the Heathlands SPD as causing harm to it. Given this, and that the development does not encroach onto the Ramsar site, Natural England have not objected to the proposal. An appropriate assessment has concluded that the proposal is not likely to have a significant effect on the Dorset Heathlands. The impact on protected Dorset Heathlands is therefore has no weight in the planning balance.

*Trees*

- 16.130 There are a number of trees and hedgerows in and around the site, most of which would be retained. Hedgerows around the site are mixed species field hedges. Some gorse is present around field edges/watercourses. A small number of Goat Willow and one Silver Birch are to be removed to form the new access to the site. Another small group of Goat Willow is to be removed from the hedgerow along the west edge of the wider site area. All of the trees, 5 in total, that are to be removed are of poor quality/low value and their removal would be compensated for by the provision of mitigation planting.
- 16.131 The applicant has submitted an Arboricultural Impact Assessment together with Arboricultural Method Statement and tree survey plan. From the submitted information and case officer assessment, it is considered that subject to condition that no work would start on site other than the felling and pruning of trees until tree details are submitted and agreed in writing with the LPA. The agreed protection barriers and ground protection should be put in place and thereafter retained and maintained as per the specification until development is complete. (Condition 22)
- 16.132 The proposals are acceptable subject to the implementation of the details set out in the Arboricultural method statement and above listed tree protection condition.

The impact on trees has no weight in the planning balance.

*Archaeology and heritage assets*

- 16.133 The application is accompanied by a Historic Environment Assessment (HEA) dated September 2023 evaluating the potential direct and indirect effects of the proposed development upon cultural heritage assets and archaeological remains.
- 16.134 The survey did not identify anything of archaeological significance and only a small section of the linear cropmarks would be impacted by the proposed development and the HEA concluded that any effect would be minor.
- 16.135 There are no designated heritage assets within the proposed development site boundary. Within a 1km area of search there is one scheduled monument and two grade II listed buildings. The site is not within the setting of any designated heritage asset. This is due to the distance of separation, intervening mature vegetation, and local topography which prevents intervisibility between these assets and the site.
- 16.136 There are three non-designated heritage assets that lie partially within the site boundary; linear cropmarks interpreted as possible ditched trackways, a wood bank, and drainage ditches or field boundaries. Only a small section of the linear cropmarks would be impacted by the proposed development and the HEA concluded that any effect would be minor. This has also been confirmed by DC Archaeologist. The other two non-designated assets within the site are within an area proposed only for managed grassland, and as such a negligible impact.
- 16.137 The associated cable route crosses another non-designated asset. However, the asset was impacted during the construction of the NG Mannington substation and, at the point where the cable route crosses, is of negligible heritage value.
- 16.138 The site itself has a historic landscape character that comprises modern fields created following woodland clearance. The site makes a neutral contribution to appreciating the heritage values of the assets within the study area as it is not within the settings of these assets.
- 16.139 In conclusion, as confirmed by DC Archaeologist, the battery storage and cable route elements of the proposed development are both anticipated to have a low to negligible potential for archaeological remains, expected to be limited to deep-laying remains that may not have been affected by previous ground disturbance. As a result, no archaeological mitigation measures are considered to be necessary. The Proposed Development therefore accords with Policy HE1.

Impact on archaeology and heritage assets is attributed limited weight in the planning balance.

#### *Mineral safeguarding*

- 16.140 The site is within a safeguarded area for sand and gravel, and within the Bedrock Sand Resource Block. The Council's Minerals and Waste Team have confirmed that as the proposal is temporary, the mineral would not be sterilised by the development. The impact on minerals has no weight in the planning balance.

#### *Decommissioning*



16.141 A suitably worded planning condition to secure appropriate decommissioning of the site would ensure that electrical storage infrastructure is removed at the end of the 40-year period or within 6 months of the cessation of electricity storage and distribution by the facility (whichever is the sooner). (Condition 4)

*Environmental Impact Assessment (EIA)*

16.142 Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA regulations, it is concluded that the proposed development is unlikely to result in significant environmental impacts. Therefore, an Environmental Impact Assessment is not required in this instance.

**17.0 Planning balance**

17.01 Again paragraph 153 of the NPPF states: *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

17.02 The following tables set out the planning considerations both in favour and against the development, and the weight afforded to these in the planning balance. For clarity, considerations with a neutral impact noted in this report are not considered further in this section.

In the interests of clarity, in ascribing weight to the planning considerations in favour and against I have used the following scale: none, limited, moderate, significant and substantial.

<b>Consideration in favour</b>	<b>Weight</b>	<b>Reason</b>
Need for battery energy storage facilities (BESS)	Substantial	<ul style="list-style-type: none"> <li>Substantial contribution to energy security and achieving national and local climate targets</li> </ul>
Environmental benefits	Substantial	<ul style="list-style-type: none"> <li>BESS is a facility which contributes to reducing greenhouse gas emissions by storing surplus energy as such have wider national environmental benefits as per para. 156 of the NPPF</li> <li>Helps to address Dorset Council Climate targets</li> </ul>
Location	Substantial	<ul style="list-style-type: none"> <li>The immediate local landscape is already influenced by large electrical substation, pylons and two other industrial sites</li> </ul>

		<ul style="list-style-type: none"> <li>• Sequential site selection test ruled out other sites within 1km of NG Mannington substation</li> <li>• Site is within 250m of substation</li> <li>• Confirmed grid connection to Mannington Substation</li> <li>• Site is suitably well screened by existing mature vegetation</li> </ul>
Public benefit	Substantial	<ul style="list-style-type: none"> <li>• Renewable energy generation identified as a public benefit</li> </ul>
Biodiversity and BNG	Significant	<ul style="list-style-type: none"> <li>• Limited loss of habitat</li> <li>• No loss of trees with a potential for bat roosting</li> <li>• BNG of 11.88%</li> </ul>
Economic benefits	Limited	<ul style="list-style-type: none"> <li>• Limited economic benefits beyond construction</li> </ul>

<b>Consideration against</b>	<b>Weight</b>	<b>Reason</b>
Impact on the Green Belt	Substantial	Inappropriate development in GB
Impact on the character of the area	Limited	<ul style="list-style-type: none"> <li>• Temporary nature of development</li> <li>• Reduction in proposed battery units from 78 to 65</li> <li>• Existing BESS development in the vicinity</li> <li>• Existing electricity substation in the vicinity</li> </ul>
Impact on landscape character and visual effects	Limited	<ul style="list-style-type: none"> <li>• No effects from development across the wider landscape</li> <li>• Development screened by mature vegetation and will integrate within the local landscape</li> <li>• Development temporary and reversable</li> </ul>
Residential amenity – noise	Limited	<ul style="list-style-type: none"> <li>• 4m high acoustic fence proposed</li> <li>• Low rate noise levels during night achievable by reduction in operational units, inverter noise reduction and battery noise reduction - conditioned</li> </ul>
Impact on archaeology and heritage assets	Limited	<ul style="list-style-type: none"> <li>• Limited number of non-heritage assets partly effected by development</li> </ul>

		<ul style="list-style-type: none"> <li>Small section of cropmarks would be impacted by proposal with very minor effect</li> </ul>
Impact on Dorset Heathlands	None	<ul style="list-style-type: none"> <li>No direct habitats loss - site of any environmental designations</li> </ul>

17.03 It is considered that very special circumstances do exist, namely the support that the development will provide to the energy grid by providing additional capacity to deal with system stress and the variations in grid frequency at both a local and national level that are anticipated with ever increasing reliance on renewable energy. The Green Belt location is made necessary by the need for a practical and viable connection to grid which the Sub Station offers. Battery Energy Storage Systems provide a means of allowing electricity from the grid to be imported and stored at times of low demand/high generation and then be exported back into the grid at times of higher demand/system stress. These systems therefore indirectly support the generation of electricity by renewable sources, ultimately contributing to wider environmental benefits.

17.04 The Dorset Council Climate Change: Interim Guidance and Position Statement notes climate change will be given significant weight as a material consideration in the balance when determining applications, in line with the legislative and national policy context. It identifies renewable energy generation as a public benefit which should be afforded significant weight even if the project is small-scale.

17.05 As demonstrated in the above tables, it is concluded that the environmental, social and public benefits that will be delivered as a result of this proposal are sufficient to outweigh the harm impact caused by the inappropriate nature of the development in the Green Belt.

## 18.0 Conclusion

18.01 The application proposes development to provide a battery storage facility which will allow a more efficient use of renewable energy and will as a result help to reduce carbon emissions to the benefit of the environment. It would respond to Dorset Council's declared climate emergency and ecological emergency. The renewable energy benefits of the development therefore attract significant positive weight in the planning balance as noted above. The development is in accordance with national and local planning policy and the environmental benefits weigh strongly in favour of the development.

18.02 Resulting pollution from fires is regulated by other legislative regimes and the planning system must operate on the assumption that these are effective. Nevertheless, the proposals have been considered against NFCC guidance and the site is located in excess of the minimum distances to residential properties advised by the guidance. The EA's recommended planning conditions are proposed to be imposed and there is no objection from Natural England.

- 18.03 The proposed energy storage facility with ancillary compound and structures is considered inappropriate development in the Green Belt. Very Special circumstances advanced in support of the application include the need for the BESS in terms of climate change, energy security, energy affordability, the availability of a grid connection, together with more limited socio-economic benefits and a net biodiversity gain. Taken together these benefits carry very considerable weight in favour of the scheme.
- 18.04 On balance, it is considered that the development is sustainable, and the collective significant benefits of the proposal outweigh any harm and therefore the very special circumstances necessary to justify the development exist. For the reasons set out above, it is considered that the proposal is in accordance with the Development Plan and guidance within the NPPF and there are no material considerations meaning that planning permission should be refused. The application is therefore recommended for approval subject to planning conditions.

## 19.0 Recommendation

Grant subject to the following planning conditions:

Officer note: Written agreement to the pre-commencement condition(s) was received from the applicant on 17 November 2024.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

P001 J Location Plan  
G001 A Spare Parts Container Floor Plans & Elevations  
G002 A PCS & Transformer Arrangement  
G003 A Battery Arrangement  
G004 A DNO Incomer Substation Arrangement  
G005 C Fencing Gate & CCTV Arrangement  
G006 A BESS 33kV Switch Room Arrangement  
G007 A Auxiliary & Earthing Transformer Arrangement  
G008 A Comms & DNO Feeder Pillar Arrangement  
G009 A LV Auxiliary Switch Room Control Room & Welfare Unit Arrangement  
G010 A EV Charge Point Arrangement  
G012 A Water Tank Arrangement  
G013 A Harmonic Filter Arrangement  
P002 T Site Layout Plan  
E001 C Site Elevations  
E002 C Site Elevations with fencing  
P003 C Cable Route Plan

SCP/230303/ATR03 Transport Statement swept path

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The planning permission hereby granted shall be limited to a period of 40 years from the date when electrical power is first exported from the batteries to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

Reason: To define the permission and in the interests of proper planning

4. No later than 6 months prior to the expiry of the planning permission, or within 6 months of the cessation of electricity storage and distribution by this facility, whichever is the sooner, a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) shall be submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include the following details:
  - i) a programme of works, including a timetable for their completion;
  - ii) a method statement for the decommissioning and dismantling of all equipment and surfacing on site;
  - iii) a Decommissioning Traffic Management Plan to address likely traffic impacts associated with the decommissioning;
  - iv) details of any items to be retained on site;
  - v) a method statement for restoring the land to agricultural use.
  - vi) timescale for the decommissioning, removal and reinstatement of the land;
  - vii) a method statement for the disposal/recycling of redundant equipment/structures.

The scheme of works shall be undertaken in accordance with the approved details and timescales. The Local Planning Authority shall be notified in writing of the date of the cessation of electricity storage by or distribution from the development within one calendar month of the event.

Reason: To ensure the satisfactory restoration of the site.

5. The Local Planning Authority shall be notified in writing within one month of the event that the development hereby approved has started to store or distribute electricity to/from the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 40 years and six months of the date of notification and the local planning authority shall be notified in writing of that removal within one month of the event.

Reason: In the interests of amenity and the character and appearance of the area.

6. Notwithstanding the details shown on the approved plans, no development shall commence on site until details of the materials, colour and finish of any built structures and containers, poles, fencing, gates etc., have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried

out in accordance with the approved details prior to the development being first brought into use and retained as such for the lifetime of the development.

Reason: To ensure an appropriate visual impact within this rural location.

7. Prior to the installation of battery storage units, the water tank shown on the approved drawing P002 T shall be installed, filled with water to capacity and made available for use. Thereafter, the water tank shall be maintained, filled with water to capacity and available for use throughout the lifetime of the development and until the battery containers are removed from the site. The water tank shall be green in colour externally, and details of the precise shade shall be submitted to and approved in writing by the Local Planning Authority prior to first installation and shall thereafter be installed and retained in the agreed colour.

Reason: To ensure adequate water supplies in accordance with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023) and to ensure an appropriate visual impact within this rural location.

8. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). If any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with the approved scheme. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

9. The development hereby permitted shall be carried out in accordance with the noise technical note "Updated Noise Modelling Results for Battery Storage Facility, Mannington, Project No. 402.V08525.00022, by SLR Consulting Limited, dated 1<sup>st</sup> July 2024" to ensure a cumulative (all plant permitted by applications 3/21/0137/FUL and P/FUL/2023/06578) rating level of no more than 35dB *L<sub>ar</sub>, T<sub>r</sub>* at the nearest noise sensitive premises.

A noise validation report demonstrating compliance with the noise criteria shall be submitted to the LPA within 28 days of first operation and approved by the LPA. This assessment shall be conducted in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing Industrial and Commercial noise'.

The approved noise mitigation matters shall thereafter be maintained for the lifetime of the development.

Reason: To protect neighbouring amenity.

10. The development hereby permitted shall not be commenced until such time as a final scheme to dispose of surface water for the battery storage area has been submitted to, and approved in writing by, the local planning authority. The scheme must include the pollution protection principles set out in the supporting Flood Risk Assessment & Surface Water Drainage Strategy by LDE (Issue No. R1(7), dated 22 March 2024). The final drainage designs should demonstrate that in the event of a battery fire, all firefighting effluent can be retained on site with no discharge to surface or ground water bodies. The scheme shall be implemented as approved.

Reason: To ensure that any potentially contaminated effluent in the event of a pollution incident does not pose an unacceptable risk to the water environment in line with paragraph 180 of the National Planning Policy Framework.

11. The development hereby permitted shall not be commenced until such time as a detailed method statement and emergency plan for pollution control in the event of, and remediation following, a battery fire incident has been submitted to and approved in writing by the local planning authority. The scheme shall include, but not necessarily be limited to:
- The pollution control methods used in case of a fire, such as how and when valves will be closed to ensure firewater is stored on site and ensuring there is sufficient capacity within the system
  - How and where contaminated surface water, materials and drainage infrastructure will be sampled, managed and remediated/replaced following a fire incident to ensure no contamination enters the environment when normal operation resumes
  - A verification plan providing details of the data that will be collected and provided in order to demonstrate that the works set out in the remediation strategy in are complete

The scheme shall be implemented as approved in the event of a fire incident and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason: To ensure that the any potentially contaminated effluent does not pose an unacceptable risk to the water environment in line with paragraph 180 of the National Planning Policy Framework.

12. Prior to any areas affected by a potential pollution incident being brought back into use, a verification report demonstrating the completion of works set out in the approved emergency plan and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The relevant areas shall thereafter only be brought back into use following approval in writing by the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved emergency plan have been met, in line with paragraph 180 of the National Planning Policy Framework.

13. No development approved by this permission shall be commenced until a Construction Environmental Management Plan (CEMP), incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment in line with paragraph 180 of the National Planning Policy Framework

14. Prior to the commencement of development on the site, a Construction Environmental Management Plan (CEMP) (Biodiversity) must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signsThe development shall take place strictly in accordance with the approved CEMP.

Reason: To protect biodiversity during the construction phase.

15. The Biodiversity Plan (BP) dated 30.05.2024 shall be implemented in full in accordance with the specified timetable(s) in the BMP.

Reason: To minimise impacts on biodiversity.

16. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The strategy shall include details of any remedial works that may be required to the existing surface water drainage infrastructure, within land under control of the applicant. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

17. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in



accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

18. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

19. Unless otherwise agreed by the Local Planning Authority, all new cabling between the Mannington Sub Station and here permitted Battery Storage Plant, shall be laid underground in accordance with the approved details.

Reason: In the interests of the visual amenity and landscape character of the area

20. Prior to the first use of the Battery Energy Storage System a 4m high acoustic fence shall be installed to southern, eastern and western side of the site in accordance with the P002 T Site Layout Plan. The fence shall thereafter be maintained and retained until such time that the use of the site ceases.

Reason: In order to protect the environmental amenities of the immediate locality.

21. Prior to the commencement of any development hereby approved, above ground level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following

commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

22. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Impact Assessment dated November 2023, ref. no. RT-MME-161199-02-Rev D, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

23. Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must include:

- site operating hours
- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- location of construction site access
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction
- a scheme of appropriate signing of vehicle route to the site
- general signage details
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary
- details of personnel car/van sharing to minimise vehicle movements

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

24. Before the development commences a scheme showing precise details of the design, specification and position of wheel washing facilities must be submitted to

the Planning Authority. The scheme requires approval to be obtained in writing from the Planning Authority. The agreed facilities must be maintained in full working order for use throughout the duration of the development.

Reason: To prevent the likely deposit of loose material on the adjoining highway.

25. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number SCP/230303/D01, submitted within Transport Statement ref.no. 230303, dated November 2023, must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

26. Before the development is occupied or utilised the areas shown on Drawing Number P002 T Site Layout Plan, for the manoeuvring, parking, loading and unloading of vehicles must be surfaced, marked out and made available for these purposes. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

27. Notwithstanding already submitted BESS Safety Management Plan dated April 2024, prior to installation of any battery storage units, a Risk Management Plan (RMP) and an Emergency Response Plan (ERP) shall be produced in conjunction with Dorset & Wiltshire Fire Rescue Services (DWFRS) and approved in writing by the Planning Authority. The RMP must provide advice in relation to potential emergency response implications and the ERP must be developed to facilitate effective and safe emergency response as per National Fire Chiefs Council (NFCC) Guidance.

The RMP/ERP shall be reviewed and updated throughout the BESS's lifespan to ensure it remains fit for purpose. In the event of an emergency the approved RMP and ERP must be complied with.

Reason: To minimise fire risks and to maximise Fire Rescue Services respond time and fire management in case of fire.

28. Water tank - Prior to the installation of battery storage units, the water tank shown on the approved drawing P002 T shall be installed, filled with water to capacity and made available for use. Thereafter, the water tank shall be maintained, filled with water to capacity and available for use throughout the lifetime of the development and until the battery containers are removed from the site. The water tank shall be green in colour externally, and details of the precise shade shall be submitted to and approved in writing by the Local Planning Authority prior to first installation and shall thereafter be installed and retained in the agreed colour.

Reason: To ensure adequate water supplies in accordance with National Fire Chiefs Council guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023) and in the interests of visual amenity.

**Informative Notes:**

1. Environment Agency (EA) recommend that battery energy storage sites have drainage systems which can be completely sealed in the event of a fire to contain all contaminated firewater within the site and ensure there is no discharge of polluted water to ground or surface water bodies. The final drainage scheme should include, but not necessarily be limited to, the impermeable lining underneath the gravel attenuation areas, lined attenuation ponds and infrastructure proposed in the drainage strategy, as well the suggested penstock which can be automatically closed and prevent contaminated firewater leaving the site via the proposed outfall. EA recommend an additional backup system be included in the event of a power failure. The drainage scheme should also demonstrate there is sufficient capacity to contain the expected volume of firefighting water in addition to any surface water within the system.
  
2. The submitted CEMP must include safeguarding measures to deal with the following pollution risks:
  - the use of plant and machinery
  - wheel washing and vehicle wash-down and disposal of resultant dirty water
  - oils/chemicals and materials
  - the use and routing of heavy plant and vehicles
  - the location and form of work and storage areas and compounds
  - the control and removal of spoil and wastes.
  
3. Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to [floodriskmanagement@dorsetcouncil.gov.uk](mailto:floodriskmanagement@dorsetcouncil.gov.uk).
  
4. Informative: National Planning Policy Framework Statement  
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.  
The council works with applicants/agents in a positive and proactive manner by:
  - offering a pre-application advice service, and

- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

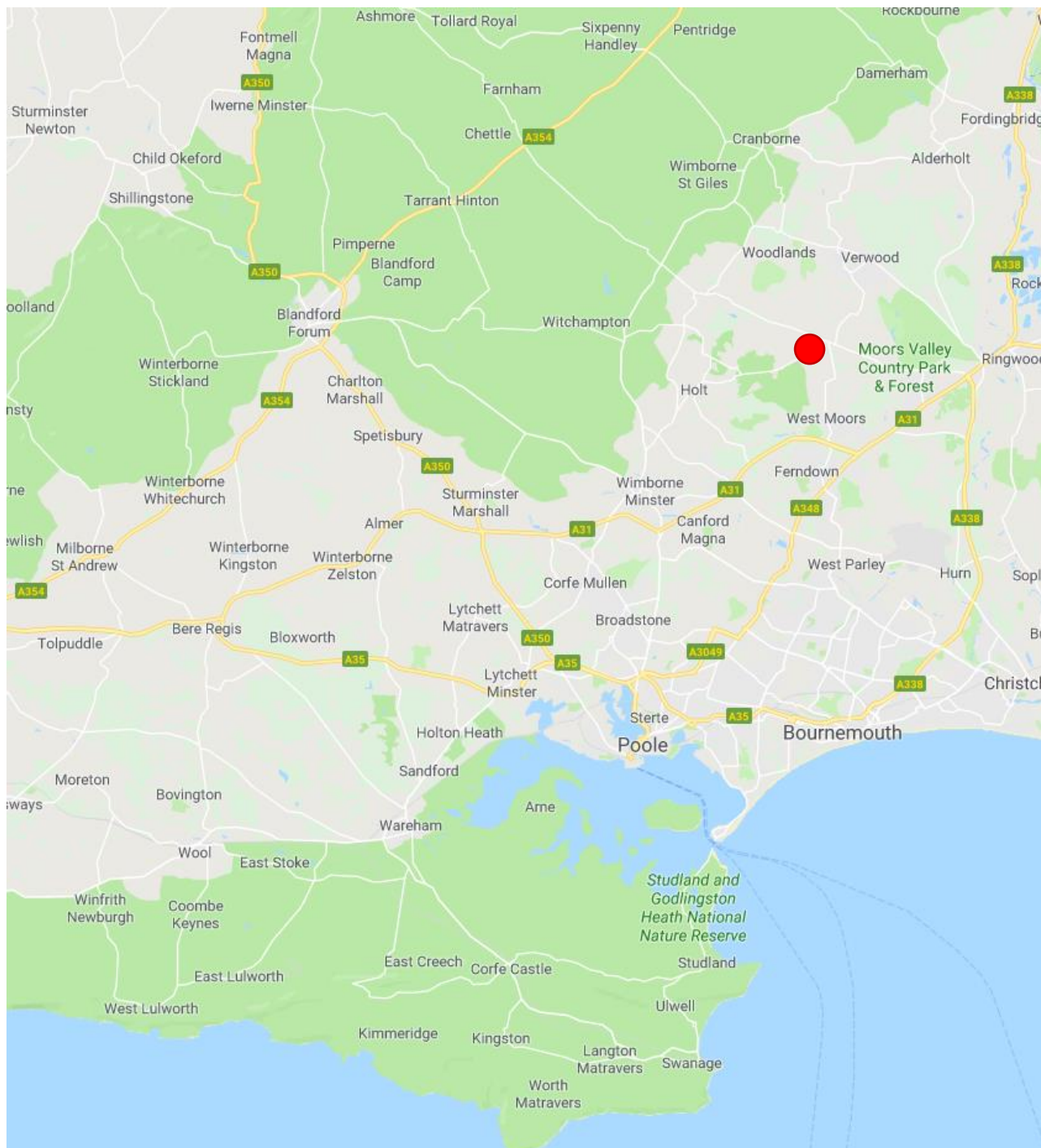
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● Approximate Site Location

Application reference: P/FUL/2023/06578

Site address: Land to the north west of Holt Road, Three Legged Cross

Proposal: The construction and installation of a Battery Storage Facility (BESS), associated infrastructure, landscaping, fencing, site access road, biodiversity net gain planting and cable corridors.



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