

# Strategic and Technical Planning Committee

## 29 July 2024

### Decision List

**Application Reference:** P/FUL/2023/04657

**Application Site:** East Chickerell Court Farm, Chickerell, Weymouth

**Proposal:** 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.

#### **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 below.

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:

- 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.

#### **Decision:**

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
- SD\_23 Bee Bank Detail

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, in consultation with the Distribution Network Operator. 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 engineering protection systems, information including structural fire protection and resistance.
- iv. The adequacy of proposed gas vapour, fire and heat detection monitoring and suppression systems within the BESS containers.
- v. Adequate provision of water supplies on-site to ensure that firefighting operations and boundary cooling can be achieved.
- vi. Natural and built infrastructure and on-site processes that may impact or delay effective emergency response.
- vii. Premises information boxes containing an agreed tactical response plan to support the Fire and Rescue Service with site specific risk information.
- viii. Detail of the battery safety management system, including thermal monitoring and automated power reduction and isolation.
- ix. Liaison with 24-hour offsite and manned control rooms which monitor battery conditions on a live basis.

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 SNG'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.

**Application Reference:** P/FUL/2023/06578

**Application Site:** Land to the north west of Holt Road Three Legged Cross Wimborne

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

**Recommendation:** GRANT subject to conditions.

**Decision:** That the application be granted subject to the conditions set out below.

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 signs
- The 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.