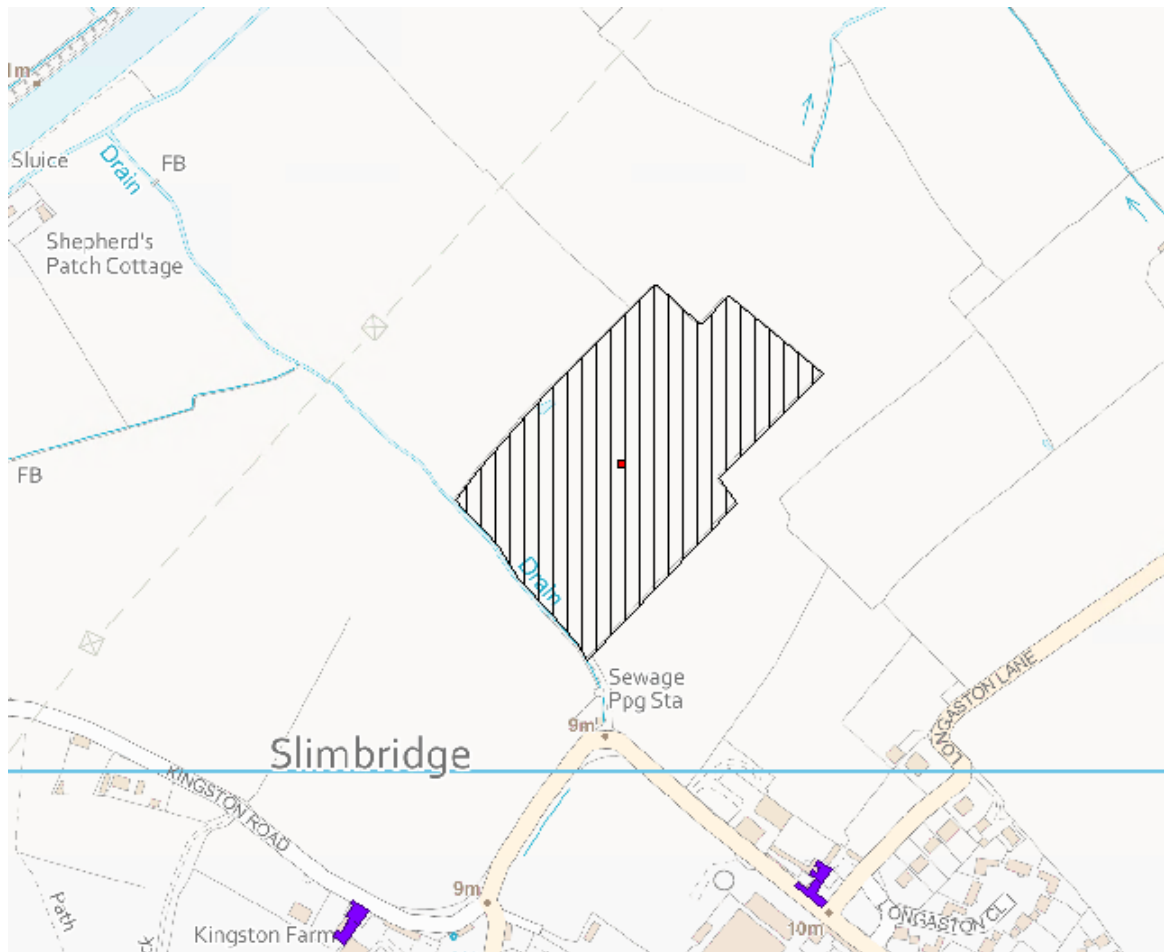




## Development Control Committee Schedule 25/04/2023

<b>Item No:</b>	<b>06</b>
<b>Application No.</b>	S.22/1157/FUL
<b>Site Address</b>	Land North East Of, Kingston Road, Slimbridge, Gloucestershire
<b>Town/Parish</b>	Slimbridge Parish Council
<b>Grid Reference</b>	373525,204226
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Installation and operation of a 36MW battery storage facility.
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Parish Council





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<b>Applicant's Details</b>	Relay Slimbridge Ltd 1 Vine Street, London, W1J 0AH, ,
<b>Agent's Details</b>	Mr Richard Murray Murray Planning Associates Ltd, Ground Floor Office, Challenger House, Rumbolds Hill, Midhurst GU29 9BY
<b>Case Officer</b>	Helen Cooper
<b>Application Validated</b>	13.06.2022
<b>CONSULTEES</b>	
<b>Comments Received</b>	Biodiversity Team Environmental Health (E) Development Coordination (E) National Grid Plant Protection Environmental Health (E) Natural England (E) Contaminated Land Officer (E) Slimbridge Parish Council Clerk - Mrs H Dunn SDC Water Resources Engineer The Environment Agency Development Coordination (E) Flood Resilience Land Drainage Arboricultural Officer (E) Flood Resilience Land Drainage Archaeology Dept (E) Contaminated Land Officer (E) Public Rights Of Way Officer Slimbridge Parish Council Clerk - Mrs H Dunn
<b>Constraints</b>	Berkeley Safeguard Area Flood Zone 2 Flood Zone 3 Slimbridge Parish Council SAC SPA 7700m buffer Village Design Statement
<b>OFFICER'S REPORT</b>	

### BACKGROUND

This application has been brought before the Development Control Committee at the request of Slimbridge Parish Council.

### MAIN ISSUES

- \* Principle of development
- \* Loss of Agricultural Land
- \* Landscape and Visual Impact
- \* Residential Amenity



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- \* Noise
- \* Highways
- \* Contaminated land
- \* Ecology
- \* Flood risk
- \* Archaeology and Heritage Assets
- \* Fire Risk
- \* Obligations

### DESCRIPTION OF SITE

The application site comprises a parcel of agricultural land which has an existing access off Kingston Road. The site measures approximately 3.5 hectares in area. The development itself would sit within a corner of this larger parcel of land and cover approximately 0.8 hectares of the site. The site is bounded by agricultural fields and is set outside of defined settlement boundaries and within the open countryside. A watercourse runs alongside the southwest boundary of the site and Slimbridge's settlement boundary is set to the southeast of the site approximately 0.2 km away along Kingston Road. Existing hedgerows and trees form the existing boundary treatment at the site.

There are several public rights of way (PROW) in proximity to the site. Slimbridge Footpath 2 runs to the south of the site and along the southwest boundary to the other side of the watercourse.

The primary access to the site is from Kingston Road. This road leads onto Newgrounds Lane which provides the access into the Wildfowl and Wetlands Trust at Slimbridge. A national cycle route also runs along Kingston Road and past the site access.

Several listed buildings lie in the surrounding area including Kingston Farm and Hurns Farm, which are both Grade II listed buildings set along Kingston Road.

The Gloucester and Sharpness Canal and Severn Way recreational route are set to the north of the site. The River Severn runs to the north west of the site approximately 2 km away. The majority of the site lies within flood zone 1, although an area located adjacent to the watercourse is set within Flood Zone 3.

The site lies approximately 2 km from the River Severn's ecological sensitive areas SAR/SPA/SSSI/RAMSAR. These are of national and international importance.

### PROPOSAL

The application seeks planning permission for the installation and operation of a 36 MW battery storage facility. The development would be contained within the eastern section of the field with a 3-metre-wide access track running parallel with the south east boundary of the site and into the compound. Access is proposed from an existing field access which leads onto Kingston Road.



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The proposal comprises 30 battery storage containers with inverters, 60 transformer stations, a distribution network operator (DNO) substation and a customer substation, and associated structures such as 4 CCTV poles (3 m high) and a satellite communications dish. Security fencing which would comprise mesh steel panels measuring 2.5 metres in height would run around the perimeter of this area of the site. An access gate would be made from the same material. The battery cells would use lithium-Ion battery technology.

The battery units and two switchgear units would be contained within dark green shipping containers that would be approximately 12 m long x 2.4 m wide by 2.5 m high and they would be laid out in two rows. Two transformer stations measuring approximately 2.5 metres high by 2.1 metres x 1.4 metres would sit adjacent to each one of the containers.

Planting is proposed around the southern and south-eastern corner of the compound. A small section of hedgerow would be removed to facilitate the works and all other existing hedgerows and trees would be retained. Scattered tree planting along the northwest site boundary is proposed and a proposed hedgerow is indicated along the southwest site boundary. A small woodland copse is also proposed adjacent to the compound.

The battery storage facility would be able to store and export up to 36 MW of electricity to the National Grid. A proposed cable would run along Longaston Lane and Ryalls Lane to connect the storage facility to an existing substation, which lies to the north of the site adjacent to the canal along Ryalls Lane.

The application seeks permission for a period of 40 years. After this time the site would be decommissioned and the land returned to its former agricultural use.

### **REVISED DETAILS**

The following revised drawings and supporting documents were received on the 9th September 2022

Customer substation details drawing number EPG1004-221A  
Spare Parts Container, drawing number EPG1004-222A  
Transformer Substation Details, drawing number EPG1004-223A  
Access track section details, drawing number EPG1004-230  
Fence and Gate Section Details, drawing number EPG1004-231  
CCTV Pole mounting details, drawing number EPG1004-232  
Battery Container Details, drawing number EPG1004-250

A Draft Outline Battery Safety Management Plan and Construction Traffic Management Plan were also submitted to support the application following comments from the Local Highway Authority and to address concerns raised by residents and the Parish Council.

An amended Flood Risk Assessment was submitted on the 31st January 2023 to address concerns that had been raised during consultation about the formatting and one of the maps being a mirror image.

A Planning Addendum was submitted on the 31st January 2023



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A revised Landscape Masterplan was submitted on the 20th February 2023. This includes additional planting at the site.

A revised Planning Statement and Flood Risk Assessment were received on the 6th March 2023. The timeframe for which consent is sought has been adjusted from 25 years to 40 years within these documents.

A revised Noise Impact Assessment was received on the 7th March 2023 to amend an error in respect of the site plans contained within the document.

The Construction Traffic Management Plan has been updated to include a section on the underground cable and to amend the lifespan of the proposal to 40 years and this was received on the 9th March 2023.

A Fire Strategies, Fire Risk Assessments and Regulation 38 of the Building Regulations supporting document was submitted on the 15th March 2023.

An Agricultural Land Considerations document was submitted on the 27th March 2023 to support the application.

### **SITE HISTORY**

2023/0057/EIAS – EIA Screening for Installation and operation of a 36MW battery storage facility- It should be noted that the application was screened against the EIA Regulations upon receipt. To formalise the Local Planning Authority's opinion an application has been set up prior to bringing the application before the Development Control Committee. A formal response advising that no EIA is required has been provided to the applicant and is available to view on the public access system.

### **MATERIALS**

Containers -dark green

Fence – steel mesh

### **REPRESENTATIONS**

#### **Statutory Consultees:**

**Slimbridge Parish Council:** Slimbridge Parish Cllrs resolved to object to this application and request for it to be called into DCC.

Objections raised are for traffic and access. The access to this site is along a narrow road, with an immense number of users for tourism (including the WWT, canal, pub). To add additional large construction vehicles to this road will cause an impact on road safety and those using the road. This route also has the Sustrans cycle route on, and is used by pedestrians, horse riders and farm traffic. The access is on a bend in the road, again causing concern for Highway safety with the heavy construction vehicles being unsuitable for the narrow roads.



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Further disruption and Highway safety concerns are raised for the cable route to the battery storage, with this being put in along Longaston Lane and Ryalls Lane – these are single track lanes with limited passing places.

Noise issues – whilst a noise impact assessment has been completed, there still will be noise changes with this construction that could have an effect on the nearby residents.

The location of this site is felt not suitable for the area, the construction that is required for this such as the cables to be put in, and the track to be made for access is extreme in this area of green fields. A brownfield site would be more appropriate on or near an industrial site where noise and access issues would have less impact on the immediate community. The battery storage would harm the visual amenity and tranquillity of the area. A recent battery farm application in Awre was refused on similar grounds.

Some of the documents such the battery plans are confusing, with some of them stating it is a solar farm, and other stating a battery storage. One map in the flood risk assessment is a mirror image and marked incorrectly. Information on the oils trays are not clear in terms of them being able to catch all oil drips and this raises concern of damage to soil in terms of pollution.

It is noted that there is no information of the local fire brigade being consulted on this application and considering what training they have in this area should a fire break out. If an incident were to occur, what would be the situation for access for the fire brigade to deal with any scenario, and for residents at the Patch or visitors in this locality to leave the area. Lightenbrook Lane is noted to be the only form of route to leave if the roads are blocked and this is unsuitable for 2 way traffic.

Biodiversity – it has been noted that residents have seen numerous wildlife in the field including curlew and common cranes in the autumn and winter.

The land is agricultural and should remain to grow food. A current debate in Parliament this week was unanimous in wanting to see fewer battery storage solutions with agriculture and food production increased.

Many of the above reasons go against 2015 SDC Local Plan policy ES3 and CP14.

**Environmental Health:** I would recommend the following conditions in respect of this application:-

1. Sound emissions attributable to operations at the site shall not exceed the following Noise Rating Levels:-

LAr,1 hour 37 dB during the daytime period of 07:00 to 23:00; and  
LAr,15 mins 34 dB during the night period of 23:00 to 07:00

as determined at the closest point of the curtilage of any residential receptor.



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The determination may be by way of direct measurement at the location or, where extraneous ambient noise or accessibility issues preclude this, by way of measurement at a closer point to the site and subsequent calculation of sound levels at the stated locations. All determinations shall be undertaken in full accordance with the methodology set out in BS4142:2014+A1:2019 – “Methods for rating and assessing industrial and commercial sound” or any future variations thereof.

2. Within 4 weeks of the development being brought into use, a validation noise survey shall be conducted in order to demonstrate compliance with the requirements set out in condition 1 above and a consequent report by a competent acoustic assessor should be submitted to the Local Planning Authority for approval to demonstrate that the required standards have been achieved.

3. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

**National Grid:** Thank you for your email.

Regarding planning application S.22/1157/FU at site location ‘Land North East Of, Kingston Road, Slimbridge, Gloucestershire’ there are no National Grid assets affected in this area.

The location used to confirm that there are no National Grid assets affected is the location at:373525,204226.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with [https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.lsbud.co.uk&c=E,1,Ge8p6KEvw7fAOujt-pi2AnsB\\_utXB9-c-6X0Hoyfv6IK7o36FXeS3EnCT9jsUn6v7w-d1RbXg-lpVLx38kT7c5oSfBFX5Kwp9oCsOIQsy0,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.lsbud.co.uk&c=E,1,Ge8p6KEvw7fAOujt-pi2AnsB_utXB9-c-6X0Hoyfv6IK7o36FXeS3EnCT9jsUn6v7w-d1RbXg-lpVLx38kT7c5oSfBFX5Kwp9oCsOIQsy0,&typo=1) Additionally, if the location or works type changes, please raise an enquiry.

**Biodiversity Team:** Comments relate to the following document:  
Ecological Assessment, The Ecology Co-op, dated 19th April 2021  
Recommendations:

Acceptable subject to the following conditions:

> No works shall take place (including demolition, ground works, vegetation clearance) until a construction ecological management plan (CEMP) has been submitted to and agreed to in writing by the Local Planning Authority. The CEMP shall include, but not limited to the following:

- A. Risk assessment of potentially damaging construction activities
- B. Identification of “biodiversity protection zones”
- C. Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals.



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- D. 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)
- E. The locations and timing of sensitive works to avoid harm to biodiversity features (e.g., daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- F. Details as to where excess spoil, materials and machinery will be stored.
- G. Measures that will be taken to protect nesting birds, ground nesting birds, reptiles, dormice, badgers and commuting bats.
- H. The timing during construction when ecological or environmental specialists need to be present on site to oversee works
- I. Responsible persons and lines of communication
- J. The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- K. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

Prior to the installation of external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- A. Identify the areas/features on site that are particularly sensitive for foraging bats.
- B. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

REASON: To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6.

Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, wildflower and hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

REASON: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.





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### Comments:

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. Simple biodiversity enhancements could be incorporated into the development proposal in the form of bat and bird boxes and hedgerow and wildflower planting, the report submitted did offer advice regarding these enhancement features.

The submitted report identified potential biodiversity constraints that may arise because of the proposed development therefore, a CEMP is recommended to ensure protected and notable species are safeguarded from the development.

Nocturnal species including badgers and commuting bats are likely to enter the site as a result, a lighting condition is recommended to ensure any lighting scheme is sensitively designed to prevent disturbance to nocturnal species.

**Lead Local Flood Authority (LLFA):** I refer to the above consultation, and your request for comment from the Lead Local Flood Authority (LLFA).

Please note that the LLFA is a statutory consultee for the management of surface water and associated flood risk on major development only. This application does not meet our interpretation of the criteria used to define major development and the LLFA will therefore decline to comment.

**GCC Highways:** Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 recommends that this application be deferred.

The justification for this decision is provided below.

No substantive or relevant information has been submitted in respect of the transport and highway elements of this application. The site is accessed via narrow lanes and no information has been forthcoming on the size or frequency of vehicles during the construction phases of the development. I would wish to see tracking plans and location of passing places shown along the route.

In my opinion, this application should have been submitted alongside a Transport Statement. Until this is forthcoming I am recommending deferral of the application. The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.

**Environment Agency:** Thank you for consulting us on the above application which was received on 11 July 2022. We have the following comments for your consideration at this time:



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### Flood Risk:

The site of the proposed development is largely in Flood Zone 1, with only a small part of the western corner of the site being in Flood Zones 2 and 3; this area is not currently proposed for built development as part of this planning application. The site access road does traverse some areas of Flood Zone 3. However given our role and responsibilities we would not make comment on the safety of the access or object on this basis. This does not mean we consider that the access is safe, or the proposals acceptable in this regard. Paragraph 054 of the Flood Risk and Coastal Change section of the National Planning Practice Guidance (NPPG) advises on how a development might be made safe from flood risk.

Paragraph 039 provides detail on access and egress.

We would refer you to our Flood Risk Standing Advice for general advice on flood risk matters. In addition we recommend that the proposals should be designed to avoid water damage. We would suggest that any flood susceptible electrics/other parts within the control kiosk are designed to be sited above surrounding ground levels.

### Export and Import of Wastes at Site:

Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised. Should it be proposed to import waste material to the site for use in the construction of the development (e.g. for the construction of hard-standings, access tracks etc) an Environmental Permit (EP) or exemption from the need for an EP may be required.

The applicant is advised to contact telephone 03708 506 506 for further information with regard to the regulatory waste requirements, or visit: <https://www.gov.uk/guidance/waste-environmental-permits>

### Pollution Control:

Developers should incorporate pollution prevention measures to protect ground and surface water. Previous Pollution Prevention Guidance maintained by the Environment Agency has been withdrawn but is still available in the national archives at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg> .We would refer you/the applicant to the latest Pollution Prevention Guidance targeted at specific activities, available at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

**The Wildfowl and Wetlands Trust:** (13.07.2022) Having reviewed the information presented and the objections from the parish, we feel we do not have enough information on the level of risk of fire and the impact it would have on our charity. We have concerns over evacuation of



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visitors and staff at the centre and also on the possibility of toxic fumes travelling over the reserve.

We are objecting on a precautionary principle.

**SDC Water Engineer:** None received

**Public:** Approximately 17 comments have been received objecting to the proposal. The concerns are summarised below:

### Principle

- Concern over loss of good agricultural land
- Unsuitable location, it should be close to power lines or generation.
- Battery farms should be placed at sites with main road access away from residential areas
- A brownfield site would be more appropriate
- Rural location is unsuitable for this type of development
- It is not in keeping with the village plan
- Government debate relating to the use of rural land for solar and battery storage and there was cross party agreement that grade 3, whether 3a or 3b 'must not allow battery storage solutions to take land out of food production for use for solar'.

### Landscape and Visual Impact

- Concern raised in relation to the impact upon the open character of the landscape, the national character area – Severn and Avon Vales and SDC Lowland Plan, Severn Vale Grazing Marshland.
- The proposed development would commercially industrialise this area
- Harmful to the visual amenity and tranquillity of the area. A recent battery farm application in Aware was refused on similar grounds.
- Loss of green space

### Ecology

- Curlew and common cranes use the fields in the autumn and winter
- Concern raised in relation to impact on SSSI, SPA, SAC and RAMSAR, protected farmland birds including curlews
- Significant noise will impact ecology
- Concern raised about potential contamination from the site and the impact upon ecology and watercourses

### Highways

- Concern raised over vehicle access and access for emergency vehicles, access to the site is on a bend/dangerous corner on a narrow road
- Concerns raised in relation to disruption during construction and closure of roads
- Narrow roads are very busy and 'pump house' bend is an accident blackspot
- Access road also has the Sustrans cycle route on and is used by pedestrians, horse riders and farm traffic.
- Concern raised with regard to evacuation routes and the suitability of Lightenbrook Lane, a single track lane
- road has a large number of users, it is a busy tourist area



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### Fire Risk

- Concern about safety of Lithium batteries
- What fire risk assessments have been carried out?
- Solar fires are caused by electrical faults, incorrect installation, or poor maintenance. What safeguards are in place for ensuring correct and high-quality installation and components/maintenance. Who is responsible for these checks?
- Battery Energy Storage Systems (BESS) present risks of explosion, fire and fume toxicity
- Fire can release highly toxic Hydrogen Fluoride, harmful to human health
- Fumes can spread up to 6 miles away
- There have been 38 lithium-ion battery fires throughout the world since 2018 and at least 2 fatalities
- In 2020 an explosion at a lithium battery farm in Liverpool resulted in a fire burning for 59 hours.
- Dursley Fire Station is not a full time station
- Has the Fire Service had training in dealing with solar battery sites?
- Concern raised about evacuating the area, have any plans been made? Lightenbrook Lane would have to take traffic from the Wildfowl Westland Trust, Tudor Caravan Park and residential properties

### Flood Risk

- Flooding in this area is possible
- Have they followed the sequential tests and documented their search for alternative sites?

### Contaminated Land)

- Concern raised relating to oil leaks and contamination
- The area is located close to a water source and leads to a SSSI which is protected from all forms of new waste. Any issues could lead to an impact upon the environment and Severn Estuary.
- Risk of contaminated water run off impacting the environment.

### Noise

- The site is very tranquil agricultural land. There are no details site plan showing the position of the inverters and HVAC. Noise mitigation should include placing inverters on the far side of containers or a wall.
- The site will make a humming noise
- Significant noise impact to public health

### Other matters

- Information contradictory and confusing, technical discrepancies in documents
- Risk of vandalism
- Not all households affected have been notified.
- Lack of EIA Screening as this is an industrial installation for supply of electricity exceeding 0.5 hectare.

### **Further comments received following additional information:**

**The Wildfowl and Wetlands Trust:** (9.8.2022) We are significantly concerned by the fire risk posed by the location of the proposed development. The nature of the development poses a



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risk of fire. In the event of a fire, access for the fire service would be only by the narrow lanes of Kingston Road and Lighenbrook Lane, which could easily become blocked, preventing access. Further, should fire or fumes affect WWT Slimbridge Wetland Centre or further properties on Kingston Road and Newgrounds Lane, evacuation would be difficult along the narrow roads, especially if Kingston Road were to become blocked by fire or fire service vehicles. Therefore, the applicant should make clear how the proposed development meets the Fire Safety Duties under Part 2 of The Regulatory Reform (Fire Safety) Order 2005 and the Building Regulations 2010, specifically Approved Document B Volume 2, B5, Section 16 on vehicle access. If it cannot meet these duties, the application should be refused.

We are also concerned by the vehicular access to the site. Gloucester County Council Highways Development Management have responded to the application saying that it should be deferred due to the narrow lanes that give access to the site and the lack of information given on vehicle access during construction. We agree with Gloucester County Council that the application should be deferred until a Transport Statement is forthcoming. Permission should not be given until the developer makes clear how vehicle access will be achieved in a safe manner and without undue disruption to other traffic which uses the road for access, including to WWT Slimbridge Wetland Centre. The significant operational impact on one of the Districts most important visitor sites, should be fully considered.

The application is inadequate in relation to addressing potential contamination of local water courses.

**GCC Highways:** (comments dated 20.10.22) Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development

Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions and informatives.

The justification for this decision is provided below.

The details as now submitted have satisfied the concerns which I had raised in my earlier consultation response dated 27 July 2022. I had raised these issues but now note that the CMP was dated 14 July 2022 but not submitted to the LPA until 9 September 2022.

The surveys carried out and assurances being made in the CMP document are sufficient to allow me to offer a recommendation of no objection.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.



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### Conditions

The Development hereby approved shall not be commenced within the main site until the access, parking and turning facilities have been provided as shown on the approved drawings.

Reason: To ensure conformity with submitted details.

The Development hereby approved shall not be commenced within the main site until the access road from its junction with Kingston Road has been surfaced in bound materials for the first 15m of the access track, so that no loose stone, gravel or surface water migrates onto the adopted highway,

Reason: To ensure the safety of the highway is not compromised.

### Informatives

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk) before commencing any works on the highway. Full Details can be found at [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk).

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Drainage arrangements shall be provided to ensure that surface water from the driveway does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public

\*Informing, respecting and showing courtesy to those affected by the work;

\*Minimising the impact of deliveries, parking and work on the public highway;

\*Contributing to and supporting the local community and economy; and

\*Working to create a positive and enduring impression, and promoting the

Code.



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The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic. Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

**Lead Local Flood Authority (LLFA):** (16.12.22) The LLFA has no objection as the battery storage facility is classified as a less vulnerable application and it is in flood zone 1. The area is also in the area identified by the EA as benefitting from flood defences and the design allows for flood volume mitigation, raising the containers above the possible flood depths, in the event of flood defence failure or overtopping.

NOTE 1: The Lead Local Flood Authority (LLFA) will consider how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

GCC Archaeologist: Thank you for consulting the archaeology department on this application. The county Historic Environment Record shows that there are no heritage assets recorded within the proposed development site except for the presence of medieval or post-medieval ridge and furrow remains. An undated enclosure has been recorded approx. 270m to the east and extensive Iron Age and Roman settlement remains have been recorded approx. 280m to the south.

I consider that there is potential for archaeological remains to be present within the proposed development site, particularly in relation to the extensive Iron Age and Roman settlement remains to the south. The belowground impact of this development however appears relatively small and it likely that the site is on the periphery of Iron Age/Roman settlement



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remains. I consider it prudent to ensure an archaeological Watching Brief is carried out during belowground construction work.

To facilitate the archaeological work I recommend that a condition is attached to any planning permission which may be given for this development, ie;

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 205 of the National Planning Policy Framework

I have no further observations.

**Arboricultural:** I have reviewed the tree report submitted with this application. I am satisfied that it is thorough and comprehensive in relation to the application. Only a small section of hedgerow will be removed to facilitate the proposal. Mitigation is proposed through new hedgerow and tree planting. Protective measures will be required to ensure the retained hedgerow adjacent to the site is adequately protected.

From an arboricultural perspective I have no objections, subject to site specific tree protection measures and new tree/hedge planting.

**Contaminated Land:** Thank you for consulting me on the above application. I have no comments.

**Public Rights of Way Team:** We have no further comment to add, however please note.

1) No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless: -

a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route to us in Public Rights of Way (preferably providing a suitable alternative route); if any utilities are going to cross or run along a PROW then a section 50 license needs be sought and granted - via GCC Streetworks department. Information regarding section 50 Licenses and an application form can be found at: <https://www.gloucestershire.gov.uk/highways/highways-licences-permits-and-permissions/>

b) Important: if the development will permanently affect any public right of way, then the developer must apply for a diversion of the route through the Planning Authority, under the Town and Country Planning Act 1990, as part of the planning application process. No development should take place affecting the route of the path prior to the confirmation of a





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TCPA path diversion order. The area Public Right of Way Officer should be consulted as part of this process.

2) Additionally: -

a) There must be no encroachment on the width of the public right of way.

b) No building materials may be stored on the public right of way.

c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times.

d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.

It is important to note the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights exist which have not been recorded or that higher rights exist on routes shown as public footpaths and bridleways.

**Gloucestershire Fire and Rescue Service:** Whilst Gloucestershire Fire and Rescue Service (GFRS) would not object in principle to the lawful development of a Battery Energy Storage System (BESS) or other alternative energy site it is recognised that these installations pose some specific hazards in the event of fire. Any fire involving grid scale Li-ion battery storage would be treated as a hazardous materials incident in order that specialist technical advice can be obtained at the earliest opportunity.

Current fire safety legislation (in particular the Regulatory Reform (Fire Safety) Order 2005) is limited in its application to such developments due to the low life risk during normal occupation. Process fire risk is generally regulated by the HSE but in the absence of regulation under COMAH there is an expectation that fire and rescue services will initiate an emergency response in the event of an incident, in conjunction with the site operator's own plans.

Research is ongoing to determine the most suitable method to extinguish a fire within Li-ion battery cells although current guidance recommends copious (and significant) volumes of water for a prolonged period.

Fire service resources for the provision of water include standard fire engines, bulk water carriers and High Volume Pumps (HVP) with additional resources available from neighbouring services through National Resilience capabilities if required. The delivery of water to a BESS site would inevitably require multiple vehicles for a prolonged period.

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.



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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.

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.

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.

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.

Our response crews have been provided with additional training and awareness in the hazards and risk management of BESS installations and as such the risk to them is considered to be controlled, although it would be true to say that the risks to firefighters cannot be eliminated completely as has been evidenced from fires in BESS sites in other parts of the world.

Since these sites generally fall outside the requirements of Building Regulations due to the temporary nature of the structures, the Fire and Rescue Service (FRS) are not generally in a position to comment or make representation regarding the design of the site and are not usually included within the planning consultation process. Where we identify a site, either through a review of the planning lists or through direct consultation, we will endeavour to provide comments or recommendations in line with this document to influence the development.

Since there is no obligation on the planning authority to take notice of comments by the FRS and in the absence of a requirement for Building Regulations consent, these sites remain difficult to influence.

It would be our recommendation that in the event that a development is being considered for planning approval, that the layout, access and provision of a suitable water supply comply as far as is reasonably practicable with the minimum requirements of Approved Document B to the Building Regulations, specifically part B5, regarding access and water supplies for firefighting, or other industry or sector specific guidance as may be published by the National Fire Chiefs Council (NFCC)

The NFCC are in the process of finalising some bespoke guidance on firefighting in BESS and other alternative fuel installations, but this is yet to be published.

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. This is particularly relevant where remote sites may not have good access to fire hydrants and where multiple vehicles may be required to ensure continuous water supply.



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The provision of suitable turning space and appropriately sized footprint for hard standing to enable an effective firefighting response with multiple vehicles is essential.

The inclusion of drenchers or fire service inlets to battery modules may be a design consideration.

Site contingency plans must consider the impact of wind direction on access and egress from the site which may impose operational constraints and an inevitable delay in firefighting. Alternative access points and the ability to access all parts of the site should be considered within the design.

Early contact with the FRS for site familiarisation and exercising of emergency plans is strongly advised.

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.

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 in order to assist with operational planning. 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.

**Public:** Further comments have been received from members of the public following the additional construction management plan and draft battery safety management document being placed online and a revised site notice being placed at the site. Approximately 6 further objections were received, and these are summarised below:

### Principle

- Location is not close to electrical generation or power lines. This leads to electrical transmission loss and associated construction disruption.
- Location is well out of settlement boundary
- Should not be considered on good quality farmland

### Noise

- No noise mitigation

### Fire Risk

- Concerned that there is still no fire risk assessment
- The applicant should make clear how the proposed development meets the fire safety duties under Part 2 of The Regulatory Reform (Fire Safety) Order 2005 and the Building Regulations 2010, specifically Approved Document B Volume 2, B5, Section 16 on vehicle access.
- Draft Outline Battery Safety Plan is far from satisfactory
- The document only deals with fire suppression at the facility and does not deal with the safety issues for the surrounding area in the event of a fire or explosion



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-Concern raised that the document has been cut and paste as it refers to 'inform Humberside Fire and Rescue if there is a risk of fire spread'

### Highways

-Concern raised over site access

-Concern raised in relation to the Construction Management Plan

-Traffic survey is misleading

-No reference to large amount of farm vehicles, caravans and camper vans going to and from the campsite and the feed and delivery wagons going to the Wetlands and Wildfowl Trust, the pub and Black Shed. What happens when traffic meets an articulated lorry going to the site?

-Transport Plan ignores emergency and evacuation issues. People would be forced to evacuate via Lightenbrook Lane, very narrow and unsuitable for two-way traffic.

-There is no feasible evacuation route

-Survey ignored the impact of excavating St John's Road/Kingston Road to install the cables. This will cause disruption.

-The Construction Management Plan advises that staff would be expected to use public transport or car share. This is impractical.

### Other Matters

-A number of Residents have advised that their earlier comments still apply

-The representation period is unclear and they have not been notified of recent changes made to the documentation. There are different dates on the site notice and on the revised consultation via email.

**Comments received following additional consultation:** Additional consultation was carried out following an extension of time from a 25 year lifespan to 40 years and a revised landscaping scheme/additional information was received, in addition a new site notice was displayed referencing the public right of way. This was also published in the local newspaper:

**Slimbridge parish Council:** Slimbridge Parish Council have noted this revised consultation on the proposal, and continue to object with their original submission. The Parish Council also wish to continue with having the application go to Development Control Committee as already agreed.

**Contaminated Land:** Thank you for consulting me on the above application. I have no comments.

**Public Rights of Way:** We no further comment to add, however, please note:

1)No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless:-

a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route to us in Public Rights of Way (preferably providing a suitable alternative route); if any utilities are going to cross or run along a PROW then a section 50 license needs to be sought and granted – via GCC Streetworks



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department. Information regarding section 50 licenses and an application form can be found at: <https://www.gloucestershire.gov.uk/highways/highways-licenses-permits-and-permissions/>

b) Important: if the development will permanently affect any public right of way, then the developer must apply for a diversion of the route through the Planning Authority, under the Town and Country Planning Act 1990, as part of the planning application process. No development should take place affecting the route of the path prior to the confirmation of a TCPA path diversion order. The Public Right of Way Officer should be consulted as part of this process.

2) Additionally:-

- a) There must be no encroachment on the width of the public right of way
- b) No building materials may be stored on the public right of way
- c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times
- d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.

It is important to note the Definitive Map is a minimum record of public rights of way and does not preclude the possibility that public rights exist which have not been recorded or that higher rights exist on routes shown as public footpaths and bridleways.

**Natural England:** Thank you for your consultation on the above dated 02/03/2023

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information on when to consult Natural England on planning proposals is here- Planning and transport authorities: get environmental advice on planning - GOV.UK ([www.gov.uk](http://www.gov.uk))

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A. If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.



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Further information on LPA duties relating to protected sites and areas is here- Protected sites and areas: how to review planning applications - GOV.UK ([www.gov.uk](http://www.gov.uk))

Further guidance is also set out in Planning Practice Guidance on the natural environment Natural environment - GOV.UK ([www.gov.uk](http://www.gov.uk)) and on Habitats Regulations Assessment Appropriate assessment - GOV.UK ([www.gov.uk](http://www.gov.uk))

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

**Public:** A further representation has been received objecting to the proposal. To summarise the concerns raised reflect those listed above under public comments and focus upon evacuation routes, disruption from the underground cable, fire and pollution risks.

### **NATIONAL AND LOCAL PLANNING POLICIES**

National Planning Policy Framework.

Available to view at:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

National Policy Statements EN1 (2011)

National Policy Statement EN3 (2011)

Draft National Policy Statement EN3 (2021)

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Section 66(1).

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

[https://www.stroud.gov.uk/media/1455/stroud-district-local-plan\\_november-2015\\_low-res\\_for-web.pdf](https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf)

Local Plan policies considered relevant for this application include:

CP1 – Presumption in favour of sustainable development.

CP2 – Strategic growth and development locations.

CP3 – Settlement Hierarchy.

CP4 – Place Making.

CP5 – Environmental development principles for strategic sites

CP7 – Lifetime communities.

CP13 – Demand management and sustainable travel measures.

CP14 – High quality sustainable development.

CP15 – A quality living and working countryside.

EI12 – Promoting transport choice and accessibility.



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- ES1 – Sustainable construction and design.
- ES2 – Renewable or low carbon energy generation.
- ES3 – Maintaining quality of life within our environmental limits.
- ES4 – Water resources, quality and flood risk.
- ES5 – Air quality.
- ES6 – Providing for biodiversity and geodiversity.
- ES7 – Landscape character.
- ES8 – Trees, hedgerows and woodlands.
- ES10 – Valuing our historic environment and assets.
- ES11 – Maintaining, restoring and regenerating the District's Canals.
- ES12 – Better design of places.

The proposal should also be considered against the guidance laid out in SPG Stroud District Landscape Assessment (2000), Heritage Strategy SPA (2018), SPD Planning Obligations (2017).

The Submission Draft Stroud District Council Local Plan and evidence base documents were submitted for examination to the Planning Inspectorate on the 25th October 2021 and it is currently going through the examination process. Whilst the draft plan currently carries limited weight, there are a number of Policies within this document that are of relevance to the proposal and these are listed below:

- DCP1 - Delivering Carbon Neutral by 2030
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy
- CP4 - Place Making.
- CP5 - Environmental development principles for strategic sites
- CP6 - Infrastructure and Developer Contributions
- CP14 - High Quality Sustainable Development
- CP15 - A quality living and working countryside
- SO4 - Transport and Travel
- SO5 - Climate Change and environmental limits
- SO6 - Our District's distinctive qualities
- EI12 - Promoting transport choice and accessibility
- EI13 - Protecting and extending our walking and cycling routes
- ES1 - Sustainable construction and design
- ES2 - Renewable or low carbon energy generation
- ES3 - Maintaining quality of life within our environmental limits
- ES4 - Water Resources, quality and flood risk
- ES5 - Air Quality
- ES6 - Providing for biodiversity and geodiversity
- ES7 - Landscape character
- ES8 - Trees, hedgerows and woodlands
- ES10 - Valuing our historic environment and assets
- ES11 - Maintaining, restoring and regenerating the District's Canals.
- ES12 - Better design of places.

Slimbridge has a neighbourhood area designation and an emerging neighbourhood plan.



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The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

### Battery Energy Storage Systems

The accompanying Planning Statement and Planning Addendum outline the benefits of Battery Energy Storage Systems (BESS). The documents advise that this technology plays an important role in transitioning to renewable energy generation and reducing the reliance upon fossil fuels.

Such facilities seek to store energy from renewable sources and then release energy to the grid at a time when there is high demand. In addition, the supporting documents advise that BESS can transfer energy on the grid from areas in abundance to locations where there is demand. This technology helps to reduce the reliance upon fossil fuels during peak demand for electricity.

The supporting documents advise that renewable energy generation, which is mainly from solar and wind farms, is intermittent and BESS offer a grid balancing service to help the National Grid manage the supply and demand of electricity across the network. The documents advise that such technology provides a vital role in maintaining grid stability and helps prevent events such as power surges and outages.

### PRINCIPLE OF DEVELOPMENT

The development plan comprises the National Planning Policy Framework, Stroud District Local Plan, adopted on 19th November 2015 as well as adopted Supplementary Planning Documents and Guidance. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the proposal should be determined in accordance with the plan unless material considerations indicate otherwise.

Paragraph 158 of the NPPF advises that when determining applications for renewable and low carbon development, local planning authorities should *approve the application if its impacts are (or can be made) acceptable*.

The Overarching National Policy Statement (NPS) for Energy (EN-1) (2011) and the draft version 2021 are relevant. In addition, NPS for Renewable Energy Infrastructure (EN-3) (2011) and Draft EN-3 (2021) must also be taken into consideration. Draft EN-3 advises that *'electricity generation from renewable sources of energy is an essential element of the transition to net zero'*.

Stroud District Council has an ambitious target of becoming carbon neutral by 2030 and this is outlined by Stroud District Council 'The 2030 Strategy, Limiting, Adapting, recovering and Responding in a Changing Climate' (2021). The carbon neutral objective is further emphasised within the Draft Local Plan by the new core policy, DCP1 'Delivering Carbon Neutral by 2030'.





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The site is located outside of any settlement boundaries as identified by the Stroud District Local Plan 2015 Policies Map and as such it is defined as being set within the open countryside where development is normally strictly controlled.

Policy CP15 'A quality living and working countryside' is relevant. This policy seeks to protect the separate identity of settlements and the quality of the countryside. The proposal will contribute to energy infrastructure within the district and as such the proposal is considered to be compliant with Policy CP15 criteria 6 as 'It will involve essential community facilities'. Where proposals accord with any of CP15's principles it will then only be permitted within the countryside subject to compliance with further criteria. Criteria vi) of CP15 advises that *in the case of new buildings for essential community facilities, they cannot be accommodated within the identified settlement development limits or through the re-use or replacement of an existing building.*

As the site is set within the open countryside, further justification for the location and information as to why the facility cannot be set within or adjacent to settlement limits has been sought from the applicant during the planning application process.

The Planning Addendum advises that [*Locational factors that influence the siting of battery storage facilities include, provision of access to unrestricted network capacity, proximity to a financially viable access to the national grid and point of connection, availability of suitable land and the proximity of a point of access to the highway network*].

The Addendum advises that a high number of National Grid substations are located outside of built-up areas. The applicant surveyed the locality initially and no suitable brownfield land or buildings were identified for use. This is because they were either too far away from the substation or would result in the BESS being located closer to residential properties. In addition, in this instance a key consideration related to flood risk. Whilst the proposal is 'less vulnerable' infrastructure the site has been selected as it mainly lies within Flood Zone 1.

Whilst it may be preferable for facilities such as this to be located adjacent to or within settlement limits, on balance, due to the role that BESS play in supporting renewable energy generation and reducing reliance upon fossil fuels to help achieve carbon neutral targets, it is considered that sufficient justification has been provided in this instance for the sites location within the open countryside in accordance with Policy CP15 and CP14 of the adopted Local Plan.

LPA Officers consider that significant weight should be attributed to the proposal's contribution towards meeting carbon neutral targets and helping to provide energy security within the overall planning balance. The proposal will also help to meet the wider aims and objectives of Stroud District Council in terms of becoming carbon neutral by 2030.

In principle the siting of the proposal in this location is therefore considered acceptable subject to whether any impact upon the landscape, agriculture, residential amenity, noise, highways, flood risk, ecology and heritage are (or can be made) acceptable in accordance with paragraph 58 of the NPPF. These issues are considered in detail within the following sections of the report.



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### LOSS OF AGRICULTURAL LAND

The NPPF paragraph 174 seeks to ensure that policies and decisions recognise the 'economic and other benefits of the best and most versatile agricultural land'. The best and most versatile land is defined as grade 1, 2 and subdivision 3a. The PPG 'Renewable and low carbon energy' (2015) also encourages the use of poorer quality land.

Natural England's Land Classification Map for the South West Region indicates that the site lies within an area of land which is Grade 4, although it is on the edge of Grade 2 land. Grade 4 agricultural land is defined as poor quality agricultural land and Grade 2 is BMV land. The maps available from Natural England provide a guide only and a supporting document entitled 'Agricultural Land Considerations' has been submitted to support the application. This document advises that the site has a 20-60% likelihood of BMV quality.

The majority of the site will be used for wildflowers and grazing. The site area which would be developed measures approximately 0.73 hectares. The application also seeks permission for 40 years and after this time the land would be returned to its current agricultural use. The loss of a small area of agricultural land, whether Grade 4 or BMV, is therefore not considered to be significant development in accordance with the NPPF and its loss is considered acceptable when weighed against the benefits of the proposal, which seek to support renewable energy generation.

### LANDSCAPE AND VISUAL IMPACT

Policy ES7 'Landscape Character' of the adopted Local Plan seeks to protect landscape character and diversity and advises that development will only be permitted if the following criteria are met:

1. The location, material, scale and use are sympathetic and complement the landscape character; and
2. Natural features including trees, hedgerows and water features that contribute to the landscape character and setting of the development should be both retained and managed appropriately in the future.

Policy ES7 of the adopted Local Plan goes on to say that '*opportunities for appropriate landscaping will be sought alongside all new development, such that landscape type key characteristics are strengthened. The Stroud District Landscape Assessment will be used when determining applications for development within rural areas*'.

This area of the countryside is set within the Severn and Avon Vales national landscape character area and it is classified by the Stroud District Council's 'Landscape Character Assessment' as being set within the Lowland Plain landscape character area. This area of the countryside does not benefit from a special landscape designation such as an Area of Outstanding Natural Beauty. However, it is recognised that the introduction of man-made equipment, containers and associated electrical infrastructure are likely to have an impact upon the landscape character area and upon the tranquillity of this area of the countryside. Concerns have also been raised by members of the public that the proposal may lead to an industrialised character of the area.



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To address the level of impact upon the landscape the applicant has carried out a Landscape and Visual Impact Assessment (LVIA). This document looks at the existing landscape character, its sensitivity and the impact upon visual receptors. This includes the impact upon settlements, public right of ways, the national cycle route (NCR) 41, recreational routes such as the Severn Way, the Slimbridge Wetland Centre, major A roads and minor roads.

The area of the site that would contain the BESS is set into the field away from Kingston Road. The site is relatively flat and the boundaries are well vegetated. The proposed equipment and containers on site would not exceed 3m in height. It is recognised that a PROW is in proximity to the site and crosses the site access.

The supporting document advises that the highest level of visual impact the proposal may have would be moderate adverse and this is identified to the PROW to the southwest of the site. However, following the growth of mitigation measures the supporting document advises that the impact will be reduced to negligible adverse. The LVIA concludes that any wider impact of the proposal will be restricted within the landscape. In terms of localised impact, the document advises that planting will restrict any influence over time.

Following discussion between the applicant and LPA Officers, additional landscaping has been provided as shown on the revised landscape strategy. This comprises additional native hedgerow and tree planting. Once established it is considered that this will further soften any adverse impact upon the landscape and further reinforce the field pattern. A condition is recommended to manage the field boundary to a height of 2.5 m to 3 m. It is considered that this will appear in keeping with the wider area and provide adequate screening for the site.

Whilst it is recognised that the introduction of electrical plant and containers would have an impact upon the landscape character area and cause a degree of harm to the agricultural character, it is considered that this will be localised and subject to mitigation planting any impact of the proposal is likely to be less than significant. The less than significant harm identified must therefore be weighed against the benefits of the proposal within the overall planning balance.

### *Vegetation, Trees and Hedgerows*

The LPA's Arboricultural Officer has been consulted on the application and has advised that the submitted tree report is acceptable and only a small section of hedgerow would be removed to facilitate the proposal. Subject to a condition recommending tree protection measures and the replacement planting the impact upon existing trees and hedgerow is therefore considered to accord with Policies ES7 and ES8 of the Local Plan.

### *Cumulative Impact*

It is acknowledged that a number of renewable energy projects are coming forward within Stroud and these are often located within the open countryside. In terms of cumulative impact, it is considered that the proposal is set a sufficient distance away from other sites so as not to have a cumulative impact upon the visual amenity of the landscape.



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### **RESIDENTIAL AMENITY**

Policy ES2, ES3 and CP14 of the Adopted and Emerging Local Plan are relevant and seek to ensure development proposals do not have an adverse impact upon residential amenity.

It is acknowledged that there are residential properties within the wider area and consideration must be given as to any potential impact the proposal may have upon them. Due to the separation distance to properties, it is not considered that the proposal will appear overbearing or overshadow residents. The key consideration in this instance relates to noise and this is considered in the next section of this report.

### **NOISE**

The NPPF seeks to ensure development proposals do not give rise to significant impacts from noise. Policy ES2, ES3 1) and CP14 2) of both the Adopted and Draft Local Plan advise that permission will not be granted where there is an unacceptable level of noise pollution.

Slimbridge Parish Council have raised concerns that construction noise will have an effect on nearby residents. Comments have also been received from the public in relation to this being tranquil agricultural land and how noise from the proposal would impact upon public health.

It is recognised that an increase in large vehicles and construction work may cause noise and vibration in the area for a temporary period of time. A condition restricting construction hours is recommended and it is considered that this will help mitigate any impact upon amenity in the wider area.

To address operational noise levels a Noise Impact Assessment has been carried out and this accompanies the planning application. This provides advice on the level of noise that the electrical equipment and plant would generate and measures that can be taken to mitigate noise levels. The Battery Central Inverters, transformers and the heating, ventilation and air conditioning (HVAC) plant would all generate noise at the site.

In terms of residential properties, it should be highlighted that the closest property to the site is Greenacre, Slimbridge, which is approximately 250 metres away from the area of the site where the electrical plant would be sited. The monitoring location indicated within the Noise Impact Assessment was adjacent to this property.

Environmental Health have been consulted on the submitted document and have advised that they have no objection subject to conditions which seek to ensure that the BESS does not exceed acceptable noise levels within the local area.

Subject to conditions and due to the separation distance to dwellings, it is not considered that the proposal would adversely impact upon residential amenity with regards to noise, vibration and disturbance in accordance with Policies ES2, ES3 1) and CP14 2).



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### HIGHWAYS

A key consideration relates to the potential impact upon highway safety and road users in the wider area. Paragraph 110 of the NPPF advises that when considering development proposals, the following should be ensured:

- a) Appropriate opportunities to promote sustainable transport modes can be –or have been – taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users;
- c) The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The NPPF paragraph 111 goes on to say that ‘development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

Policy ES3 criteria 5) looks to ensure permission is not granted which would have a detrimental impact on highway safety.

The key consideration in this instance relates to traffic movements during construction and decommissioning and the potential impact upon the highway network during the installation of the underground cable which will link the BESS to the point of connection at the substation.

To address highway safety concerns a Construction Traffic Management Plan (CTMP) has been submitted. This document advises that the site is located close to the A38 which provides a connection to the strategic highway network for construction vehicles. The site would be accessed by HGVs during construction works from Kingston Road. It is anticipated that the construction time would be around 22-24 weeks and it is expected that 79 vehicular deliveries will take place resulting in 158 two-way movements. The document advises that up to 20 people would be employed on the site during construction work and this may result in 40 vehicular movements during the day.

Once the site is operational it is anticipated that one trip every 21 days would be necessary in a transit type vehicle.

It is acknowledged that concern has been raised that the CTMP did not originally mention the underground cable which is required to connect the facility to the point of connection at the switch yard on Ryalls Lane. The Construction Traffic Management Plan has been amended during the application process to include a brief section on this.

LPA officers have discussed the proposed works on the public highway with LHA officers. The LHA has advised that the developer would have to contact the Area Highways Manager a minimum of eight weeks prior to any operation on the highway. They have also advised that



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there are safeguards under the Highways Act not to permit blocking of the carriageway. If temporary traffic lights are required these will need to be agreed with the Highways Area Manager.

The proposal would result in additional HGV vehicles using the local road network for an estimated 6-month period. However, due to the likely number of vehicles and trip frequency, including journeys made by construction workers, it is not considered that this impact would be significant. Whilst it is recognised that the cable installation may also cause some localised disruption this would only be for a temporary period of time. Traffic movements associated with the facility once operational would be minimal.

The Local Highway Authority (LHA) have also reviewed the submitted documents and no objection has been raised subject to conditions. As such, it is not considered that the proposal would warrant refusal on highway safety grounds, and it is considered to comply with Policy ES3 5) of the Local Plan.

### *Public Rights of Way (PROW) and National Cycle Route*

The PROW Slimbridge footpath 2 crosses the access leading into the site from Kingston Road. The Public Rights of Way Team have been consulted on the application and an informative is recommended in order to minimise any impact or disruption to users of the PROW. The CTMP also advises that warning signs will be displayed by the PROW and users of the PROW will have permanent priority.

The National Cycle Route 41 runs past the site access. Highways are satisfied with the proposed visibility splays and as such it is not considered that the proposal would have a detrimental impact upon the cycle route or highway safety.

### *Decommissioning*

The application seeks permission for a period of 40 years. A condition is recommended to ensure that after this time the land is returned to its former agricultural use. The Construction Management Plan contains a section on decommissioning and the Local Highway Authority are satisfied with this information. This would again result in temporary increased vehicular movements in the local area for around 22-24 weeks.

## **CONTAMINATED LAND**

The site is existing agricultural or greenfield land. Contaminated Land Officers have been consulted on the application and have no comments on the proposal.

Concerns from residents have been received in relation to the oil trays shown on drawing number EPG1002-223 Rev A which would be installed underneath the transformer substation and the risk of potential contamination. LPA Officers have discussed this element of the design with the applicant and been advised that the trays are a precautionary measure to ensure any oil drips are caught and identified, and the equipment is serviced accordingly. The oil trays are therefore considered to reduce the risk of ground contamination. An



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informative is recommended detailing the Environment Agency's pollution prevention guidance.

### **ECOLOGY**

An Ecological Assessment which comprised an Extended Phase 1 Habitat Survey has been carried out at the site to support the application. This document advises that whilst the site is less than 2km from the Severn Estuary SSSI and SAC it mainly comprises grassland and is fringed with native hedgerows and trees. The proposal will result in the loss of a small area of hedgerow and approximately 25% of improved grassland on the site. The revised Landscape Masterplan details mitigation measures which include wildflower areas, scattered tree planting and native hedgerow planting. This is considered significant to offset any impact upon ecology at the site and secure biodiversity enhancements.

The Biodiversity Team have reviewed the ecological assessment and associated documents and have raised no objection subject to conditions. The applicant has advised that no lighting is proposed at the site, however, a condition is recommended in respect of this in case any lighting is proposed at a later date. This is to ensure that any lighting is sensitively designed to protect nocturnal wildlife.

Subject to conditions and due to the planting mitigation measures the proposal is considered to be compliant with Policy ES6 'Providing for biodiversity and geodiversity' of the adopted Local Plan.

### **FLOOD RISK**

The NPPF seeks to ensure that when 'determining any planning applications, local authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment' (paragraph 167, NPPF). Policy ES3 'Maintaining Quality of Life within our Environmental Limits' criteria 4 seeks to ensure that proposals do not increase the risk of flooding on or off the site. Policy ES4 'Water resources, quality and flood risk' seeks to ensure development proposals are appropriately located in respect of any risk.

A Flood Risk Assessment (FRA) has been carried out in relation to the proposal and supports the application.

The majority of the site is set within Flood Zone 1 although part of the site along the south west boundary is located within Flood Zone 3. The FRA advises that the risk of flooding comes from the River Severn to the west and the River Cam to the north. Although the only significant flood risk is tidal flooding from the River Severn. The site is currently protected from this source by flood defences although climate change may increase the risk of flooding.

The FRA considers alternative sites and identifies one as potentially available by the substation. However, due to the higher risk of flooding at the alternative site it was not considered further.



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The Lead Local Flood Authority have reviewed the application and supporting documents and advised that this is a less vulnerable application and the design allows for flood volume mitigation. They have raised no objection to the proposal. The Environment Agency advise that the site is largely in Flood Zone 2 although the site access road does traverse some areas of Flood Zone 3. The Environment Agency have indicated that they would not comment on the safety of the access. The Local Authority's mapping system indicates that Flood Zone 3 lies adjacent to the access into the site. Whilst the access road will be widened it is likely that only a small section of the access road would traverse Flood Zone 3. As such on balance it is not considered that this represents a significant increase to flood risk or safety in terms of personnel accessing the site.

Whilst neither the EA nor LLFA have recommended conditions a drainage condition has been recommended to ensure that permeable materials are used where possible at the site and to avoid runoff.

Representations have also been received in respect of pollution to watercourses as well as ground contamination referred to above. The Environment Agency have advised that developers should incorporate pollution prevention measures to protect ground and surface water. An informative is recommended outlining the pollution prevention guidance from the EA to ensure that this is fully considered by the applicant.

Subject to a drainage condition and the pollution informative the proposal is considered to comply with Policy ES3 and ES4 of the Local Plan.

### **ARCHAEOLOGY & HERITAGE ASSETS**

Policy ES10 'Valuing our historic environment and assets' of the adopted Local Plan is relevant. There are several grade II listed buildings in the wider area and these include Hurns Farm, Kingston Farm and Rectory Farm. There is a large separation distance (over 290 m) from these properties to the section of the site which would house the containers and plant. Due to the topography of the area, separation distance and mitigation planting it is considered that the proposal would not impact upon the setting of these listed buildings in accordance with Policy ES10.

The County Archaeologist has advised that there are no heritage assets recorded within the site except for the presence of medieval or post-medieval ridge and furrow remains. However, there may potentially be archaeological remains on site and as such a watching brief condition has been recommended in respect of this as requested by the County Archaeologist.

### **FIRE RISK**

A large number of concerns have been received in respect of the potential fire risk and safety of lithium-ion batteries. Concern has been raised in relation to electrical faults, toxic fumes and how far these can spread, the length of time the fire would last, inadequate evacuation routes out of the area, emergency vehicles accessing the site and the potential impact upon wildlife at the nearby Wetlands Centre.





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To address the concerns raised in relation to fire risk the applicant has submitted a draft Outline Battery Safety Management Plan.

This document advises that BESS designs and the associated regulations and guidelines are continuously evolving, and the applicant proposes to update the Battery Safety Management Plan if the application is approved.

The document advises that the units will each have heating, ventilation and an air conditioning system. They will also each have a fire suppression system which is a 'gas-based system using NOVEC 1230 a clean agent fire extinguisher'. The site will be remotely monitored, and the fire service would be informed if there were an incident.

Gloucestershire Fire and Rescue Service have been consulted on the application and have provided a position statement on BESS and grid scale Li-ion installations. They have advised that these types of installations do pose some specific hazards in the event of fire and fire and rescue services will initiate an emergency response in the event of an incident. Whilst research is ongoing in terms of the most successful means of extinguishing these types of fire they have advised that significant amounts of water are required for a prolonged period. They have recommended that as far as practically possible the layout, access and provision of a suitable water supply should meet the requirements of Approved Document B to the Building Regulations, specifically part B5 which relates to access and water supplies for firefighting.

Whilst it is apparent from the comments received from Gloucestershire Fire and Rescue that there is an element of risk in respect of these types of installations this is considered to be rare and it must be considered within the overall planning balance.

The applicant has submitted an additional supporting document on Fire Strategies/Battery Fire Safety Management Plans to further address the concerns raised. This document outlines the details that would be considered fully within the strategy. This includes access to water and emergency shut down procedures, resident engagement and emergency support arrangements for the Fire and Rescue Service. LPA Officers have recommended a condition in respect of ensuring the submission of a Battery Safety Management Plan prior to energy first being transferred from/to the grid. It is considered that this will ensure early engagement with the Fire Service and help minimise the risk of fire and ensure a fast response time to incidents. On balance, the low risk of fire is considered to be outweighed by the public benefits of the proposal which supports renewable energy generation and reduces reliance on fossil fuels, thereby helping to achieve carbon neutral targets at local and national level.

### **OBLIGATIONS**

Obligations for this type of development are not sought in respect of the Community Infrastructure Levy Regulations 2010 (as amended).

### **REVIEW OF CONSULTATION RESPONSES**

Concerns raised by interested parties have been addressed within the main body of the report.



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### PLANNING BALANCE AND RECOMMENDATION

The proposed battery storage facility would store energy when an excess has been generated from renewable sources such as wind and solar farms. This energy would then be released during periods of higher demand. The proposal therefore helps to meet local and national carbon neutral targets by reducing the National Grid's reliance upon fossil fuels. Proposals such as this play an important role in contributing to the security and sustainability of the UK's energy supply and this carries significant weight within the overall planning balance.

The proposal is set within the open countryside and it is recognised that there will be a degree of harm upon the landscape character area through the introduction of containers and electrical plant. However, by virtue of the position of the compound which would be set back into the field, it is not considered that the proposal would give rise to a significant adverse impact upon the landscape character area. It is considered that the impact would be localised with the highest impact upon the nearby PROW. Subject to the proposed mitigation planting the degree of harm would be further reduced once this becomes established.

A key concern raised by representations relates to fire risk. It is considered that this can be effectively managed by a condition ensuring the submission of a Battery Safety Management Plan. The applicant would engage with Gloucestershire Fire and Rescue Service in the production of this document. Subject to this condition it is considered that the risk of fire can adequately be managed at the site and on balance, the wider environmental benefits of BESS which reduce the reliance upon fossil fuels, are considered to outweigh the risk of fire.

The significant weight afforded to the benefits of the proposal, which will help meet carbon neutral targets both nationally and locally, are also considered to outweigh any visual harm identified to the site and locality. The proposal is therefore considered to accord with all relevant policies of the development plan and it is recommended that planning permission be **granted** subject to conditions.

### HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

<b>Subject to the following conditions:</b>	1.	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
	2.	The development hereby permitted shall be carried out in all respects in



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strict accordance with the approved plans listed below:

Site Location Plan, Drawing reference number 0210/003/000 received on the 10th June 2022

Existing Site Plan, Drawing reference number 0210/003/001 received on the 10th June 2022

Indicative Landscape Masterplan, Drawing Reference number P0533 Revision D received on the 20th February 2023

Fence and Gate section details, drawing number EPG1004-231 received on the 9th September 2022

Spare Parts Container, drawing number EPG1004-222A received on the 9th September 2022

Access track section details, Drawing Number: EPG1004-230 received on the 9th September 2022

Battery Container Details, Drawing Number: EPG1004-250 received on the 9th September 2022

Customer Substation Details, Drawing Number: EPG1004-221A received on the 9th September 2022

Transformer Substation Details, Drawing Number: EPG1004-223A received on the 9th September 2022

CCTV Pole Mounting Details, Drawing Number: EPG1004-232 received on the 9th September 2022

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. Prior to the commencement of works, details of the types and colour of materials to be used shall be submitted to and approved by the Local Planning Authority. The development shall be carried out and maintained in accordance with these approved details.

Reason: In the interests of visual amenity in accordance with Policy CP14 of the adopted Local Plan 2015.

4. No construction or decommissioning site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of residential Amenity Policy ES3 and CP14 of the adopted Stroud District Local Plan 2015.

5. The development hereby approved shall not be commenced within the main site until the access, parking and turning facilities have been provided as shown on the approved drawings.



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Reason: To ensure conformity with submitted details and this is required pre-commencement in the interest of highway safety on the local highway network during the construction phase.

6. Sound emissions attributable to operations at the site shall not exceed the following Noise Rating Levels:-

LAr,1 hour 37 dB during the daytime period of 07:00 to 23:00; and  
LAr,15 mins 34 dB during the night period of 23:00 to 07:00  
as determined at the closest point of the curtilage of any residential receptor.

The determination may be by way of direct measurement at the location or, where extraneous ambient noise or accessibility issues preclude this, by way of measurement at a closer point to the site and subsequent calculation of sound levels at the stated locations. All determinations shall be undertaken in full accordance with the methodology set out in BS4142:2014+A1:2019 – “Methods for rating and assessing industrial and commercial sound” or any future variations thereof.

Reason: In the interests of residential Amenity Policy ES3 and CP14 of the adopted Stroud District Local Plan 2015.

7. Within 4 weeks of the development being brought into use, a validation noise survey shall be conducted in order to demonstrate compliance with the requirements set out in condition 6 above and a consequent report by a competent acoustic assessor should be submitted to the Local Planning Authority for approval to demonstrate that the required standards have been achieved.

Reason: In the interests of residential Amenity Policy ES3 and CP14 of the adopted Stroud District Local Plan 2015.

8. No works shall take place (including demolition, ground works, vegetation clearance) until a construction ecological management plan (CEMP) has been submitted to and agreed to in writing by the Local Planning Authority. The CEMP shall include, but not limited to the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of “biodiversity protection zones”
- c) Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals.
- d) 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)
- e) The locations and timing of sensitive works to avoid harm to biodiversity features (e.g., daylight working hours only starting one hour



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- after sunrise and ceasing one hour after sunset)
- f) Details as to where excess spoil, materials and machinery will be stored.
  - g) Measures that will be taken to protect nesting birds, ground nesting birds, reptiles, dormice, badgers and commuting bats.
  - h) The timing during construction when ecological or environmental specialists need to be present on site to oversee works
  - i) Responsible persons and lines of communication
  - j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
  - k) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

9. Prior to the installation of any external lighting for the development hereby approved, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:
- a. Identify the areas/features on site that are particularly sensitive for foraging bats.
  - b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

Reason: To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6.

10. Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, wildflower, hedgerow and tree planting shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.



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- Reason: To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.
11. Any trees or plants which, within a period of five years from the completion of the development, die, or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. The hedgerows at the site shall be managed and maintained at a height of 2.5m to 3 m for the lifetime of the development.
- Reason: In the interests of the visual amenities of the area.
12. Prior to commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection, monitoring and site supervision by a qualified tree specialist (where arboriculture expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.
- Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 15, 170(b) & 175 (c) & (d). This is a pre-commencement requirement to provide protection during the construction phase.
13. Prior to the commencement of development hereby approved, a surface water drainage scheme, including details of all hard landscaping, shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with these approved details.
- Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of flooding in accordance with Policies ES4 of the adopted Stroud District Local Plan 2015.
14. Prior to first exported/imported of power to/from the local electricity grid from the Battery Storage Facility (hereafter known as 'The First Export Date') hereby approved, a Battery Safety Management Plan shall be submitted to and approved by the Local Planning Authority. Written notification of 'The First Export Date' shall be given to the Local Planning Authority within 14 days of the event occurring. The development shall be managed in accordance with these approved



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details.

Reason: To ensure that fire risk is adequately managed at the site.

15. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 205 of the National Planning Policy Framework.

16. The battery units and all associated structures and equipment hereby approved shall be removed from the land within six months of it no longer being required for the storage of electricity or 40 years from the date when electricity is first exported to the local electricity grid from the Battery Storage Facility (hereafter known as 'The First Export Date'). Written notification of 'The First Export Date' shall be given to the Local Planning Authority within 14 days of the event occurring. Following the removal, the land shall be restored to its former agricultural use.

Reason: In order to safeguard the visual amenity and landscape character of the area in accordance with Policy ES7 of the adopted Stroud District Local Plan.

### Informatives:

1. ARTICLE 35 (2) STATEMENT - The case officer contacted the applicant/agent and negotiated changes to the design that have enhanced the overall scheme.
2. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk) before commencing any works on the highway. Full Details can be found at [www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk).
3. The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management



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measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

4. Drainage arrangements shall be provided to ensure that surface water from the driveway does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
5. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:  
Constructors should give utmost consideration to their impact on neighbours and the public  
\*Informing, respecting and showing courtesy to those affected by the work;  
\*Minimising the impact of deliveries, parking and work on the public highway;  
\*Contributing to and supporting the local community and economy; and  
\*Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

6. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic. Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway





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Authority within 1 month or other agreed timescale.

7. Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised. Should it be proposed to import waste material to the site for use in the construction of the development (e.g. for the construction of hard-standings, access tracks etc) an Environmental Permit (EP) or exemption from the need for an EP may be required.

The applicant is advised to contact telephone 03708 506 506 for further information with regard to the regulatory waste requirements, or visit: <https://www.gov.uk/guidance/waste-environmental-permits>

8. Developers should incorporate pollution prevention measures to protect ground and surface water. Previous Pollution Prevention Guidance maintained by the Environment Agency has been withdrawn but is still available in the national archives at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg> . We would refer you/the applicant to the latest Pollution Prevention Guidance targeted at specific activities, available at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

9. There is a public right of way crossing the access road. The applicant's attention is drawn to the following comments from the PROW team:  
1) No change to the surface of the public right of way can be approved without consultation with the County Council and there must be no interference with the public right of way, either during development or once it has been completed, unless:-

a) The development will temporarily affect the public right of way; then the developer must apply and pay for a temporary closure of the route to us in Public Rights of Way (preferably providing a suitable alternative route); if any utilities are going to cross or run along a PROW then a section 50 license needs to be sought and granted – via GCC Streetworks department. Information regarding section 50 licenses and an application form can be found at: <https://www.gloucestershire.gov.uk/highways/highways-licenses-permits-and-permissions/>

b) Important: if the development will permanently affect any public right of way, then the developer must apply for a diversion of the route through the Planning Authority, under the Town and Country Planning Act 1990, as part of the planning application process. No development should take place affecting the route of the path prior to the confirmation of a TCPA path diversion order. The are Public Right of Way Officer should be consulted as part of this process.



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2) Additionally:-

- a) There must be no encroachment on the width of the public right of way
- b) No building materials may be stored on the public right of way
- c) Vehicle movements during construction should not unreasonably interfere with the use of the public right of way by walkers, etc., and the developer or applicant is responsible for safeguarding the public use of the way at all times
- d) No additional temporary or permanent barriers (e.g. gates, stiles, wildlife fencing) may be placed across the public right of way and no additional gradients or structures (e.g. steps or bridges) are to be introduced on any existing or proposed public rights of way without the consent of the county council.