REPORT FOR PLANNING COMMITTEE

Application Number	PL/2022/02824
Site Address	Land at Somerford Farm, Brinkworth, SN15 5AU
Proposal	Proposed Development is for a battery storage facility and ancillary development.
Applicant	PD503HAN Ltd
Town/Parish Council	CHARLTON
Electoral Division	Brinkworth – Councillor Elizabeth Threlfall
Grid Ref	400899 187419
Type of application	Full Planning Permission
Case Officer	Adrian Walker

Reason for the application being considered by Committee

The application has been called-in by the Division Member (Brinkworth Division) Elizabeth Threlfall (on the 6th November 2022) for the following reasons - 'scale of the development', 'visual impact upon the surrounding area', 'relationship to adjoining properties', 'design – bulk, height, general appearance' and 'environmental/highway impact'. It was also stated that the "Adverse Cumulative Impact of multiple BESS applications in this area" needs to be fully considered.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission subject to conditions.

2. Report Summary

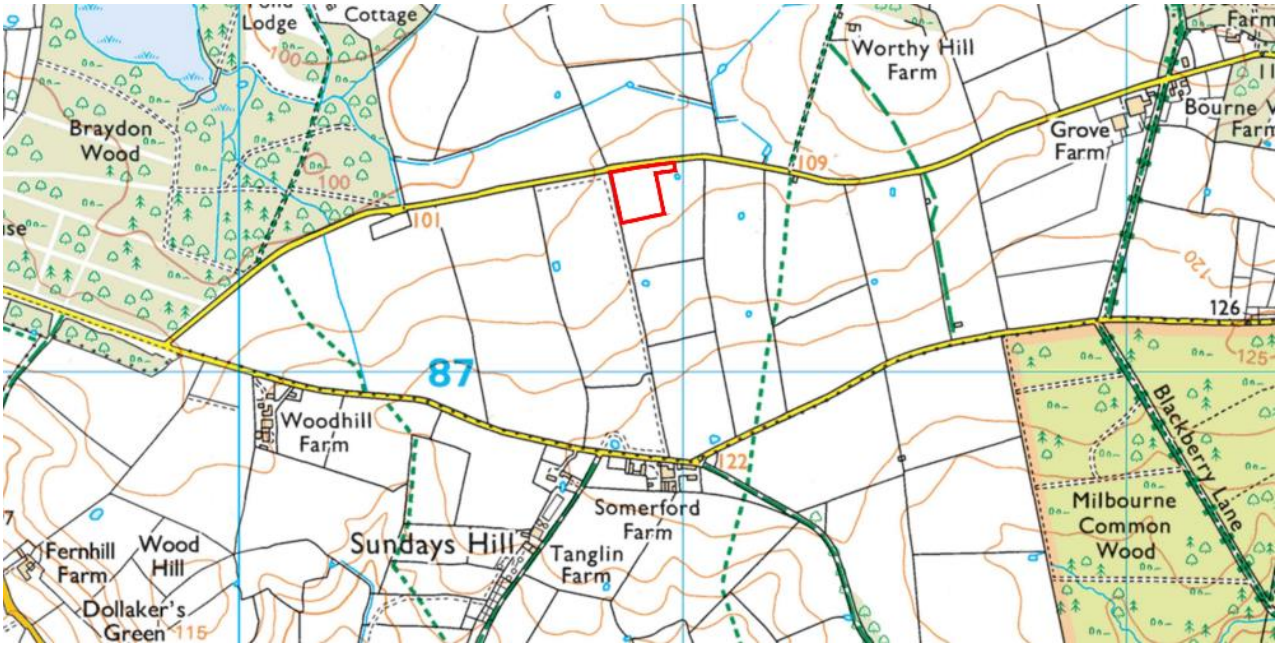
The main issues for consideration are:

a) Whether the proposal is acceptable in principle;
b) Whether the proposal would result in the loss of agricultural land;
c) Whether the proposal would be harmful in terms of its landscape and visual impact;
d) Whether the scheme would give rise to an adverse impact on residential amenity;
e) Whether the proposal would have an adverse impact upon highway safety or public rights of way;
f) Whether the scheme would cause harm to protected species and/or their habitats;
g) Whether the proposal would result in the loss of trees and ancient woodland;
h) Whether the scheme would cause harm to areas of archaeological interest or to heritage assets; and
i) Whether the proposal would result in any other adverse environmental impacts.

3. Site Description

The site is located on the south side of an unnamed C-class road, between Braydon Wood in the west and Ravensroost Wood in the east. The National Grid Minety Substation is located approximately 2.4km to the north-west. The village of Minety is about 3.5km to the north-east and Brinkworth is about 2.9km to the south.

The site comprises approximately 1.3 hectares of agricultural land. It is part of a field, with hedgerows defining the western and northern edges of the site. There is a gate in the hedgerow along the northern boundary that provides access into the site. The site is surrounded in all directions by agricultural fields enclosed by trees and hedgerows.



Site Location Plan (Drawing 3077-01-01 Site Location Plan)

The nearest dwelling, Worthy Hill Farm, is located approximately 500m to the northeast of the site on the opposite side of the road. Other nearby dwellings are Somerford Farm, Stonebarn and Somerford Farm Cottage, situated approximately 550m to the south. A public footpath (CHAR2) runs from north to south, between Worthy Hill Farm and Somerford Farm, across land to the east of the site.

4. Relevant Planning History

The application site has not been the subject of any previous planning applications, however there are other current planning applications before the Council for Solar Photovoltaic and Battery Energy Storage System developments. They are listed as follows and identified on the map below:-

- PL/2022/04524 - Land east of Ravensroost Road, Ravenshurst Farm, Minety, Malmesbury, SN16 9RJ - Installation of a Battery Energy Storage Facility, substation, underground cabling, access, landscaping, biodiversity enhancements and ancillary infrastructure & equipment to include acoustic fence, security fence & gates. (3.4km South East of Substation)

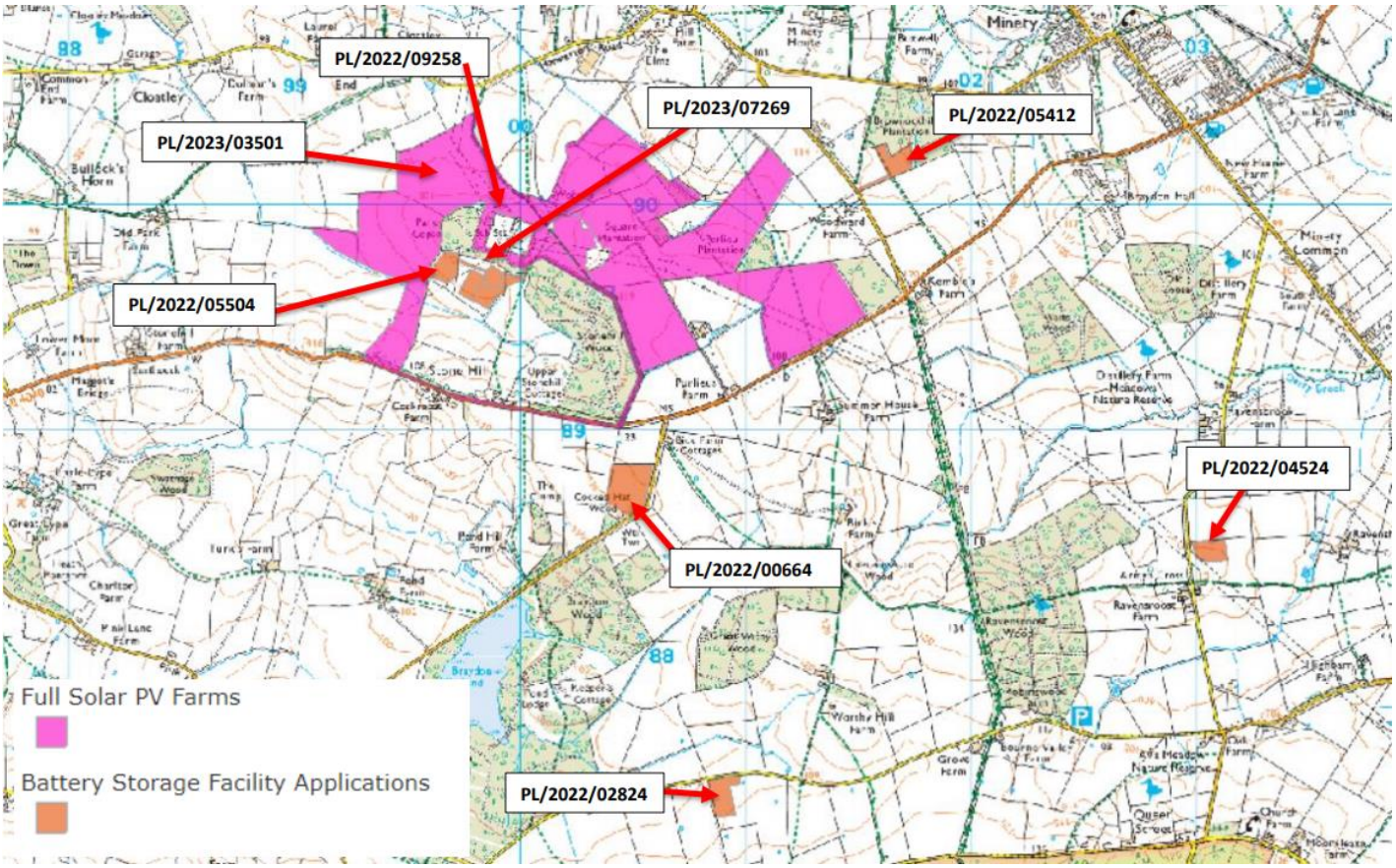
- PL/2022/05412 - Land off Dog Trap Lane, Minety - Proposed Development is for a battery storage facility and ancillary infrastructure Revision of PL/2022/00404. (PL/2022/00404 was withdrawn) (1.5km East of Substation)

- PL/2022/05504 - Land at Stonehill, Minety, Wiltshire, SN16 9DX - Installation of a Battery Energy Storage System (BESS) together with associated ancillary infrastructure, equipment and access arrangements. (South West of Substation)

- PL/2022/08634 - Lower Moor, Minety - Solar Park and Energy Storage Facility together with associated works, equipment and necessary infrastructure.

- PL/2023/03501 - Land near Minety Substation, Minety, SN16 9DX - Variation of condition 3, 4, 5, 6, 7, 11 & 20 of 20/03528/FUL -To allow modifications to the approved layout, increase from 12 battery units with 16 localised inverters to 22 battery units and 19 containerised inverters, alterations to location of vehicular access.

- PL/2023/07269 - Land to the east and south of National Grid Minety Substation, Minety, Malmesbury, Wiltshire, SN16 9RP - Installation of a grid connection cable route for an electrical connection between the approved Minety Battery Storage Facility (Planning ref:20/07390/FUL) and National Grid Minety substation.



The following current applications, for an extension to the Minety Substation and another Battery Energy Storage System, are also relevant to the assessment of the current proposal and are identified on the map above:-

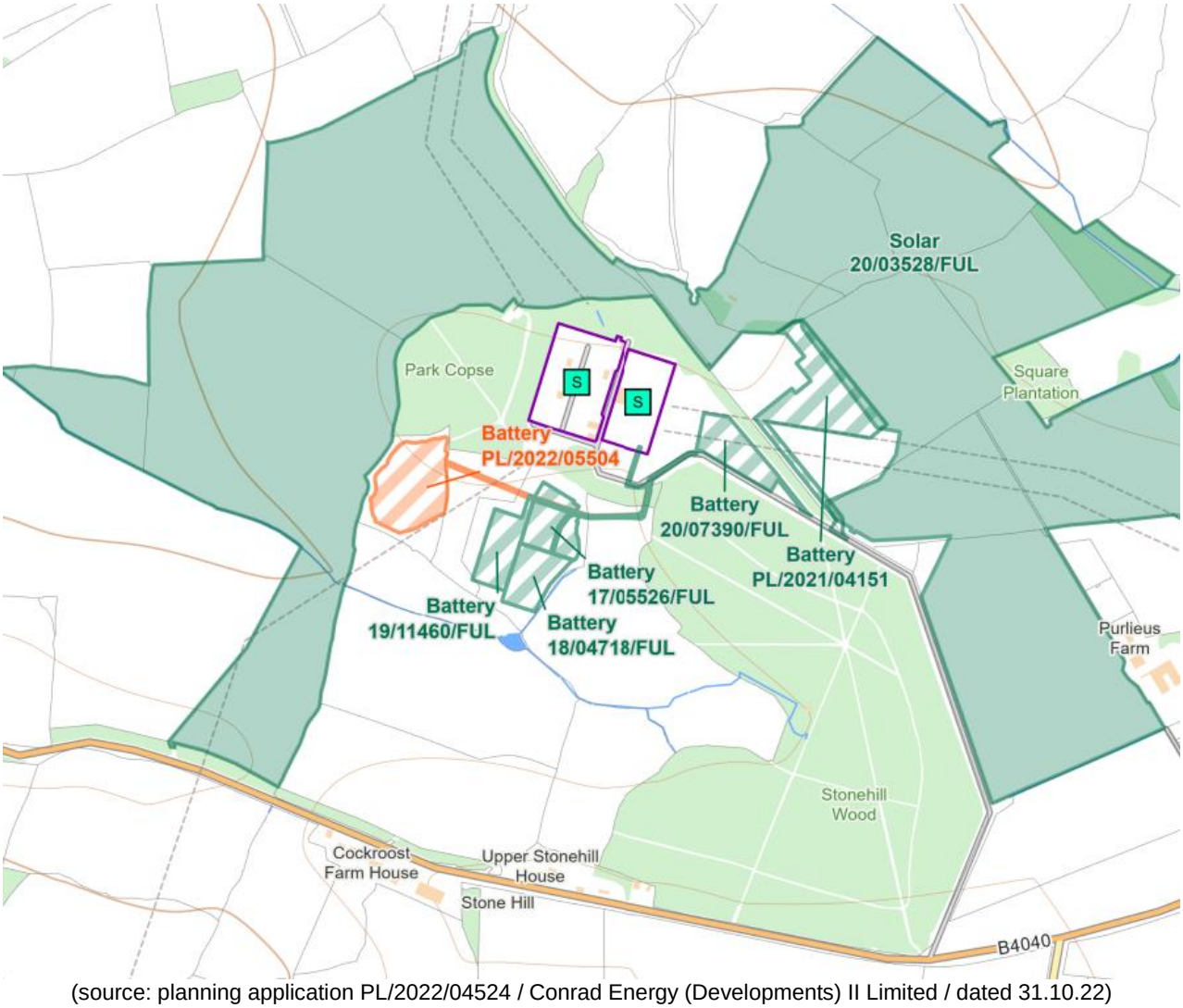
- PL/2022/09258 - Minety Substation, Minety, Wiltshire, SN16 9DX - Extension of existing substation comprising installation of 400/132kV transformer, 3no. 400/33kV transformers,

circuit breakers, construction of retaining wall and 33kV switchroom, formation of access road, culverting of watercourse, erection of fencing and associated works.

- PL/2022/00664 - Land off Pond Lane, Minety - Proposed Development is for a battery storage facility – Non-Determination Appeal ref APP/Y3940/W/23/3319392. (1.05km South East of Substation)

There are also a number of approved applications for Solar Photovoltaic and Battery Energy Storage Systems around the Minety Substation, they are listed as follows with some of the key ones identified on the plan below:-

- 20/03528/FUL - Installation of a renewable led energy scheme comprising ground mounted photovoltaic solar arrays and battery-based electricity storage containers together with transformer stations; access; internal access track; landscaping; security fencing; security measures; access gate; and ancillary infrastructure - Approved with Conditions 20/08/2021 (north / east and west of the substation)



(source: planning application PL/2022/04524 / Conrad Energy (Developments) II Limited / dated 31.10.22)

- Planning Application 17/03936/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 20/07/2017 *(north of the substation)*

- Planning Application 17/03941/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 19/07/2017 *(north of the substation)*

- Planning Application 17/05526/FUL - Energy Storage System, comprising battery storage containers, ancillary buildings, security fencing, CCTV, landscaping and substation - Land adjacent to electricity sub station - Approved with Conditions 21/09/2017 *(south of the substation)*

- Planning Application 18/04718/FUL - Energy Storage System, Comprising Battery Storage Containers, Ancillary Buildings, Security Fencing, CCTV and Landscaping - Land Adjacent to Electricity Sub Station - Approved with Conditions 19/07/2018 *(south of the substation)*

- Planning Application 19/11460/FUL - Energy Storage System, comprising battery storage containers, ancillary buildings, security fencing, CCTV and landscaping - Approved with Conditions 06/02/2020 (*north-east of the substation*)

- Planning Application 20/07390/FUL - Installation of a battery storage facility and ancillary development on land adjacent to National Grid's Minety Substation - National Grid Minety Substation Approved with Conditions 25/01/2001 (*east of the substation*)

- Planning Application PL/2021/09101 - Variation of conditions 2 and 10 for application 17/03941/FUL - Development of a 49.99 MW Battery Storage Facility with associated ancillary equipment, providing services to National Grid, formation of access track - Approved with Conditions 28/06/2022

- Planning Application PL/2021/04151 - Construction of a 2 hour duration containerised Battery Storage Facility with the ability to store and export up to 49.99 MW of electricity. The development will comprise 58 single storey steel cabins, known as E - Houses which are 12m long, 2.4m wide and 2.9m high, which house banks of lithium-ion batteries. 12 MV Blocks, also known as the transformers and control gear sit alongside E - Houses. The compound is protected with a 2.5 m high steel mesh fence. The proposed development would replace the approved Minety North substation (Minety North, 17/03936/FUL) – Approved with Conditions 08/11/2021 (*north-east of the substation*)

There are operational Battery Energy Storage Systems directly to the north-east and south of the Minety Substation with other solar photovoltaic developments within the wider landscape.

Environmental Impact Assessment

On the 29 September 2021, Pelagic Energy requested a Screening Opinion from Wiltshire Council, under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the installation a 47.5MW battery storage facility and associated infrastructure on land described as 'to the North of Braydon Side, Chippenham, Wiltshire' (PL/2021/09411). The area of land is the same as the current application site. The purpose of the request was to determine whether the proposed development, as described, would be likely to have significant effects on the environment and therefore require an assessment.

The Council issued a Screening Opinion (ref PL/2021/09411) on the 20 October 2021 confirming that "based on the information provided, it is the opinion of the local planning authority that the proposed development would not result in effects the significance of which would require an

environmental impact assessment. An environmental impact assessment is not required for this proposal".

On the 19 May 2023, Pelagic Energy requested a Screening Opinion from the Secretary of State, under Regulation 6(10) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the development the subject of this planning application. The Department for Levelling Up, Housing & Communities confirmed on the 13 November 2023 that "having taken into account the selection criteria in Schedule 3 to the 2017 Regulations the Secretary of State does not consider that the proposal is likely to have significant effects on the environment" and provided a full written statement which gives the reasons for the direction as required by Regulation 5(6) of the EIA Regulations.

It was concluded that "Overall, based on the available information and having regard to the considerable amount of permitted energy development in the locality, the Secretary of State has concluded there are no other issues or factors in this case, in this specific location, that either in isolation, or cumulatively, indicate a likelihood of there being significant environmental effects from this proposal. EIA is therefore not required".

5. The Proposal

The application seeks full planning permission for a battery storage facility. The batteries would be housed within containers which utilise air conditioning units for cooling purposes. The facility is supported by ancillary development, including transformers, inverters, and switch gear units.

Proposed Site Plan (Drawing 3077-01-03 General Arrangement Rev D)

The Planning, Design & Access Statement (February 2022) by Axis provides a detailed description of the development including the following summary:-

- 40 no. single stacked containers housing Battery Energy Storage Systems ('BESS'). These would have the appearance of a standard 40ft metal shipping container with ventilation units for cooling and would be arranged in parallel blocks within a single compound on the Site.

- The containers would be supported by ancillary infrastructure including: 20 no. Inverter / Transformer stations, 2 no. Auxiliary Transformers, 2 no. HV Switchgear, and 2 no. LV Switchgear.
- The containers and ancillary infrastructure would be located within a secure compound surrounded by a 2.4m high weldmesh fence with CCTV security cameras.
- The Proposed Development would take access from an unnamed road adjacent to the north boundary of the Site which connects to Braydon Road (B4696) circa 3km west of the Site.

The point of connection for the proposed development to the electricity grid, would be at the existing Minety Substation, which is located circa 2.4km to the north of the site. The connection would be installed below ground by an ICP contractor / statutory undertaker under permitted development rights. Accordingly, planning permission is not being sought for this element of the scheme.

The Planning, Design & Access Statement provides the following justification for the development:-

> *1.2.4 The Proposed Development would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity. The Proposed Development is referred to by National Grid as a 'balancing service'1. It would assist in balancing grid frequency at times of system stress associated with periods of over or under supply.*
>
> *1.2.5 The Proposed Development would provide a flexible back-up power source to the grid and can respond rapidly to variations that result from local and national energy demand, alongside increasing fluctuations in generation resulting from an ever-greater use of intermittent renewable energy sources2. Accordingly, the Proposed Development would ensure that curtailment of renewable energy generation at times or high supply and low demand is reduced and that the contribution of renewable energy to the network is maximised.*
>
> *1.2.6 The Proposed Development would contribute towards ensuring that there is a reliable and constant supply of electricity across National Grid's transmission network.*

The application is supported by the following plans and documents: -

- Document. Planning, Design & Access Statement (February 2022) by Axis
  - Appendix A: EIA Screening Opinion
  - Appendix B: Ecological Assessment Report
  - Appendix C: Flood Risk Assessment + Surface Water Drainage Assessment
  - Appendix D: Arboricultural Assessment
  - Appendix E: Noise Impact Assessment
  - Appendix F: Landscape and Visual Appraisal

- Drawing 3077-01-01 Site Location Plan
- Drawing 3077-01-02 Statutory Plan Rev A
- Drawing 3077-01-03 General Arrangement Rev A
- Drawing 3077-01-04 Battery Storage Container
- Drawing 3077-01-05 Inverter-Transformer Stations
- Drawing 3077-01-06 Transformer
- Drawing 3077-01-07 Switchgear Container
- Drawing 3077-01-08 LV Switchgear Container
- Drawing 3077-01-09 Fencing and Security
- Drawing 3077-01-10 Existing Site Plan

The application was updated on the 31st October 2022 through the submission of the following:

- Document. Flood Risk and Surface Water Drainage Assessment (October 2022)
- Document. Agricultural Land Classification and Soil Resources
- Document. Archaeological Geophysical Survey Report
- Drawing 3077-01-11 Rev. B Landscape Design
- Drawing 3077-01-03 General Arrangement Rev D

6. Planning Policy

National Planning Policy Framework (NPPF)

Wiltshire Core Strategy 2006 – 2026, with particular regard to:

- Core Policy 42 Standalone Renewable Energy Installations
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape
- Core Policy 52 Green Infrastructure
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport
- Core Policy 61 Transport & Development
- Core Policy 62 Development impacts on the transport network
- Core Policy 67 Flood Risk;

North Wiltshire Local Plan 2011 (Saved Policies)

- Policy NE12 Woodland (saved North Wiltshire Local Plan policy);
- Policy NE14 Trees and the control of new development (saved North Wiltshire Local Plan policy);
- Policy NE18 Noise and pollution (saved North Wiltshire Local Plan policy).

Planning Practice Guidance for Renewable and Low Carbon Energy (published 18 June 2015 / updated 14 August 2023).

Government policy for delivery of major energy infrastructure:-

- Overarching National Policy Statement for Energy (EN-1)
- National Policy Statement for Renewable Energy Infrastructure (EN-3)
- National Policy Statement for the Electricity Networks Infrastructure (EN-5)

7. Consultations

The application has been subject to two formal periods of consultation and publicity; the latter period due to the receipt of amended plans, drawings and documents. The most recent response from each consultee is summarised below:

Environment Agency – No observations.

Natural England – No observations.

National Grid – No objection. “National Grid has no objections to the above proposal which is a reasonable distance away from our assets.”

Dorset & Wiltshire Fire and Rescue Service – Standard advice provided

Council Archaeology – No objection subject to a condition to secure a written programme of archaeological investigation.

Council Highways Department – No objection in principle, subject to the consideration of the transportation impacts via a Transport Assessment and subject to conditions to secure a photographic pre-condition highway survey and Construction Management Statement.

Council Ecologist – No objection subject to conditions to secure a Construction Ecological Management Plan and to prevent the installation of light unless otherwise agreed.

Council Landscape Officer – No objection to the amended application subject to the refinement and implement of the proposed softscape landscape design scheme.

Council Arboricultural Officer – No observations

Council Drainage Officer – No objection subject to conditions to secure full and final details of the surface water drainage scheme, its implementation, and the management surface water during the construction phase.

Council Public Protection Officer – No objection subject to conditions to secure the mitigation measures to control noise outlined within the Noise Impact Assessment and the submission and approval of a Construction Environment Management Plan.

Brinkworth Parish Council – Objection – "Brinkworth Paris*h* Council voted unanimously to Object to this development. The proposed site is surrounded by totally unspoilt countryside which supports a huge and diverse wildlife. The site is totally inappropriate and not in any way conducive to the environment".

Charlton Parish Council – Objection

"Charlton Parish Council objects to this planning application for the following reasons:

1. The cumulative impact of the number of applications for battery storage units around the electricity substation. 6 applications have already been approved close-up to the sub-station. We all know there are another 3 simultaneous with this one by the same applicants, and they have told us they are preparing the paperwork for a 5th, and we know of a 7th being prepared close-up, so that's potentially 12.
2. The absence of any sense of how much battery storage the National Grid envisages that the substation can support. The area was already described as the largest storage facility in Europe when the second 50 MW array opened. At least 2 other applications (in 2017 and 2018) described themselves as 'the last application as the site will now be at capacity' - yet the capacity evidently keeps on increasing
3. 2.5kms away as the crow flies - further in terms of the connection – is there any end to the possible number of such sites here if they can be 2.5km (or more - 5km? 10km?) away?
4. Piecemeal decisions - the fact that the Local authority has to keep making piecemeal decisions on additional applications as they arise.
5. The absence of a clear statement of Wiltshire Council's attitude/policy to these applications and their cumulative impact on the locality
6. The Agricultural Land Classification (ALC) of this site has not yet been determined. …".

8. Publicity

As a result of publicity, representations have been received from five people raising the following concerns:

- There needs to be a national strategy for battery storage facilities rather than applications being considered on an ad hoc basis.
- There is no definition of limit to industrialisation/over-development of the area.
- The development should be on brownfield land
- The development would spoil greenfield land
- There are existing similar battery storage facilities near the site
- The site is too far away from Minety Substation
- The application does not adequately considered biodiversity and geodiversity impacts
- The local roads are not suitable to accommodate associated traffic
- A battery storage facility has already been approved 18/04914/FUL, and a related application on the same site PL/2022/04524 is under review. This is at Ravensroot Farm, less than 2.5 miles from this site. Do we really need two of these sites so close together.
- The application is on the same road as 20/11027/FUL (Change of Use of Agricultural Building and Stables to Commercial and Machinery Storage and Site Office) which was withdrawn after over 130 objections based upon the access along the road to and from the site.. this is the same road as in this application.

9. Planning Considerations

a) Whether the proposal is acceptable in principle

The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed all forms of electricity storage, other than pumped hydroelectric storage, from the definition of nationally significant energy generating stations under the Planning Act 2008. As such, any proposal for a Battery Energy Storage System (BESS) below 50MW must be determined by Local Planning Authorities. A BESS proposal above 50MW is defined as a nationally significant infrastructure project (NSIP) which requires consent from the Secretary of State. The development the subject of this current application is for a BESS below 50MW.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Planning policies and decisions must also reflect relevant international obligations and statutory requirements (NPPF, par 2). For the purpose of determining this application, the development plan comprises the Wiltshire Core Strategy (adopted January 2015) and the Saved Policies of the former North Wiltshire Local Plan (2011). A core objective of the development plan is to address climate change and through Core Policy 42 'Standalone Renewable Energy Installations', the Council sets out the parameters within which standalone renewable energy installations, which would equally apply to supporting infrastructure, shall be supported.

The NPPF advises that Local Planning Authorities should take a proactive approach to mitigating and adapting to climate change and to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (par 160). Battery Storage Facilities are a form of infrastructure that support the use and supply of renewable energy. The Planning Practice Guidance advises that "Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity" (Paragraph: 032 Reference ID: 5-032-20230814).

The Overarching National Policy Statement for Energy advises that energy storage has a key role to play in achieving net zero and providing flexibility to the energy system. Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. Storage can provide various

services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the National Electricity Transmission System Operator (NETSO) and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases (par 3.3.25 – 3.3.27).

Locally, Wiltshire Council has made a firm commitment to seek to make the county of Wiltshire carbon neutral by 2030 and has pledged as an organisation to become carbon neutral by 2030. The Council's Climate Strategy (2022 – 2027) sets out a clear commitment to increase the uptake of renewable energy, it states the Council seek to "Increase renewable electricity generation including microgeneration (and associated technologies such as storage) in Wiltshire by working in partnership with others" (p28).

The Council's Climate Strategy explains that "At present the grid supplies energy on demand. Once transport and heating are electrified, there will be a much greater demand. In order to manage this a flexible and 'smart' grid will be needed. The UK Net Zero Strategy sets a high level of ambition, stating that all electricity will come from low carbon sources by 2035, subject to security of supply, whilst meeting a 40-60% increase in demand" (p28).

The planning application explains that the proposed development "is considered as supportive infrastructure of renewable energy generation in that it enables surplus electrical energy in the grid (which includes that generated from renewable sources) to be stored and then used at times of demand. As a consequence, it also enables energy generated from intermittent (i.e. weather dependent) renewable technologies to be fully harnessed and utilised, rather than being curtailed at times of low demand". The development would therefore contribute towards ensuring the contribution of renewable energy to the network is maximised. The proposed development is therefore considered to be acceptable in principle in terms of the type of development. However, in order to establish the acceptability of the proposal on the site in question, all material planning considerations associated with the proposal must be considered, and are discussed within the following sections.

In terms of the proposed location of the battery storage facility, the Planning Inspectorate has highlighted 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" (appeal ref 3289603, par 30). The application provides details of the site selection process, the Planning, Design & Access Statement explains that Pelagic Energy have carried out a site screening exercise for National Grid's Super Grid Transformer Substations. These are strategically important infrastructure, required to maintain power supplies across the UK. Locating Battery Storage Facilities (BSF) within a reasonable distance to Super Grid Transformer Substations, ensures rapid responses to transmission grid instability and that transmission losses are minimised through the associated grid connection. It goes on the explain that "Of the two hundred and ninety-eight (298) National Grid Super Grid Transformer Substations in the UK, only one hundred and sixty-eight (168) have capacity to accommodate the scale of BSF proposed. A significant number of these substations are constrained due to the close proximity of housing or other environmental constraints. As such, there are only a limited number of substations suitable for BSF projects to connect to. The National Grid Minety Substation is one of the Applicant's leading suitable substations due to the availability of grid connection capacity (par 1.4.1 - 1.4.4).

The justification provided for the site selection process highlights the need for the battery storage facility to be within close proximity to the National Grid Minety Substation, away from neighbouring properties, and within an area that is not protected by any national or local landscape or

ecological designations. The application site is however approximately 2.4km away from the substation within the open countryside therefore the specific impacts of the proposal and thus the acceptability of the development are considered in the following sections.

b) Whether the proposal would result in the loss of agricultural land

The existing use of the site is agriculture. The NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by "…recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland, and of trees and woodland" (paragraph 180).

Natural England's Technical Information Note TIN049 *'Agricultural Land Classification: protecting the best and most versatile agricultural land'* explains that: "the Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system… The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (see Annex 2 of NPPF)".

The site comprises Grade 3b agricultural land which is confirmed within the Agricultural Land Classification and Soils Resources report (June 2022) by Reading Agricultural Consultants. The site does not therefore include the 'best and most versatile agricultural land'. The site area will also not result in the loss of a significant amount of agricultural land with the remainder of the filed remaining within its agricultural use. There is therefore no conflict with planning policy in this regard and the need for the facility against the loss of the small area of agricultural land will need to be considered within the overall planning balance.

c) Whether the proposal would be harmful in terms of its landscape and visual impact;

The NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment (par 180) and Core Policy 51 'Landscape' of the WCS outlines that new development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies.

The application site does not lie within a designated or protected landscape and the application is supported by a Landscape and Visual Appraisal (January 2022) which refers to the relevant character area and provides an assessment of whether a likely significant landscape and visual effect would be experienced by any receptor, by considering the predicted magnitude of change together with the sensitivity of the receptor, taking into account any proposed mitigation measures. It concludes by stating that "The Proposed Development would be modest both in extent and in height, being contained within an existing field defined by boundary hedgerows, which would be reinforced by new native tree and shrub planting. Whilst visible from locations outside of the Site, such views would always be filtered through existing vegetation and visibility would reduce as new planting establishes. The influence of the Proposed Development upon the character of the surrounding landscape and upon views across it would be very limited. The landscape and visual effects of the Proposed Development would not be significant".

The Council's Landscape Officer originally replied with a holding objection stating that the site sits in the rolling clay lowlands and is within a corner of a field where along the south and eastern boundary of the site there is currently no planting. The mitigation strategy proposed is relying on planting establishing quickly in order to reduce the immediate impact on the wider landscape

setting. Furthermore, whilst there are existing hedgerows to the north and west the northern hedgerow has been maintained at a relatively low height and thus there needs to be more consideration in terms of its management over the life time of the project.

In light of the above, and to respond to the detailed request and notes of the Landscape Officer, an updated and more comprehensive landscape scheme, including a maintenance plan, was submitted. The Landscape Officer subsequently issued a revised consultation response removing the holding objection subject to the following conditions being met:

- The Tilia cordata (Small leaved lime) as noted in the plant schedules needs to be replaced with Quercus robur as this the predominant hedgerow specimen tree species on the Braydon Wooded Plateau on the Minety Rolling Clay Lowlands. I would also ask that the specimen tree planting centres are increased. Currently they looked to be planted at 5m centres which is not characteristic of the rolling clay lowlands hedgerows. A more random spacing of 10-15m will allow the trees more room to mature over time.
- The hedgerow planting whips need to be increased in size from 40-60cm to 150-180cm bare root feathered stock to provide better initial screening as per my previous comment. The maintenance visits will need to be upped in summer to ensure adequate watering of the larger stock. I would also ask that Rosa canina is removed and replaced with Ilex aquifolium (holly) to give some evergreen screening during the winter months.
- A condition for the retention of the planting as a valuable addition to the long term green infrastructure of the rolling clay lowlands after the removal of the battery storage facility would help support the management objectives of the Wiltshire Landscape character Assessment that states:

    1. ' - Retain and manage the dense hedgerow network and nurture new hedgerow trees
    2. Consider strengthening the enclosed character of the landscape and screening views to intrusive urban edges through nurturing existing and planting new woodland.'

The requested updates to the submitted landscape design scheme can be secured via condition, along with the need to implement the final approved scheme and its long term management, should planning permission be granted.

It is evident that the proposed development would result in a significant change in land use which would be industrial in nature and not characteristic of the rural area. However, the impact on landscape character would be localised and would be mitigated as far as possible through landscape measures in line with Core Policy 51. The need for the development in the locality has been justified above which will have to be considered within the overall planning balance along with the impact on local landscape character.

d) Whether the scheme would give rise to an adverse impact on residential amenity

The NPPF advises that the planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability (par 180). This aim is also reflected within Core Policy 57 ‘Ensuring High Quality Desing and Place Shaping’ of the WCS seeks to secure a high standard of design in all new development with one key element being the need for consideration be given to the compatibility with adjoining land uses and the impact on the amenities of existing occupants as a result of noise or air pollution etc.

The application is supported by a Noise Impact Assessment (January 2022) by NVC Ltd due to the nature of the infrastructure to be installed but it concludes that “The assessment shows that with appropriate mitigation the Proposed Development can be designed to comply with relevant

noise guidance and standards". The Council Public Protection Officer agrees with the conclusion of the assessment and offers no objection to the proposed development subject to the following conditions to prevent an unacceptable impact on the surrounding environment and amenities of the occupiers of neighbouring properties:-

- The mitigation measures to control noise as per section 7.4 Noise Impact Assessment are to be adopted by the developer to ensure current residential dwellings in the vicinity are not adversely impacted by noise during the operation of the site.
- No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.
- A Construction Environment Management Plan.

On this basis, it is considered that the proposed development will not conflict with the relevant policies of the plan, including Core Policy 57 of the WCS, or with relevant provisions of the NPPF.

e) Whether the proposal would have an adverse impact upon highway safety or public rights of way

The NPPF advises that transport issues should be considered from the earliest stages of plan-making and development proposals but ultimately it advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (par 115). Core Policy 62 'Development Impacts on the Transport Network' however advises that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

The Planning, Design and Access Statement provides details of the vehicular movements associated with the proposed development during the construction and operational phases. The Highway Authority requested a Transport Statement but the level of detail is considered proportionate to the scale of the development and addresses the key requirements. It advises that given the short temporary nature of the construction phase (6-8 months) and the low number of vehicular movements per hour (2-3 HGV movements) during the busiest period, the construction of the proposed development is unlikely to result in any significant impact on the local highway network. During the operational phase, it is advised that the proposed development would be controlled remotely as the facility would be fully automated. Typically, the only vehicle journeys necessary to the site would be for the occasional maintenance visit (i.e. 1 or 2 engineers travelling to the site in a van on a circa monthly basis). As such, the operational phase of the proposed development would not generate significant traffic movements and have negligible impact on the local road network.

The site would be accessed via the existing field entrance to the north, both during construction and operational phases, which leads onto a C class road running east to west. This road connects to the wider highways network via the B4696 (Braydon Road) circa 5km to the east. The Highway Authority has requested a pre-construction highway photographic survey of the road prior to the commencement of development which would be secured via condition, along with a Construction Management Plan.

In light of the above, while the construction phase will result in a noticeable increase in vehicular movements on the local road network, it will be temporary in nature and road network is sufficient to accommodate the anticipate volume of movements, As such, subject to the management of the construction phase via appropriate conditions, the proposal would not have an adverse impact on highway safety and would not conflict with national or local transportation policies.

f) Whether the scheme would cause harm to protected species and/or their habitats

Core Policy 50 'Biodiversity & Geodiversity' of the WCS requires all development proposals to incorporate appropriate measures to avoid and reduce disturbance to sensitive wildlife species and habitats throughout the lifetime of the development.

The application site does not form part of any statutory or non-statutory designated sites and comprises a small section of a larger arable field that is bound by hedgerows at the northern and western boundaries.

The application is supported by an Ecological Assessment (January 2022) by Avian Ecology. The Council's Ecologist has reviewed the report and has no objection to the proposed development. The Ecologist noted that the site "has potential for the protected species great crested newts to be present however due to the area of impact being arable land significant adverse impacts on this species through loss of habitat is not predicted. As stated in the report is seems reasonable that the risk of harm to individuals could be managed through adherence to reasonable avoidance measures (RAM) as detailed in Appendix 2 of the ecology report. There is a low level risk of harm to nesting birds, amphibians, badgers and retained hedges and trees during construction. To safely manage these impacts a Construction Ecological Management Plan (CEMP) prepared in accordance with recommendations in sections 4.5.1 – 4.5.35 of the report should be secured by condition if not provided in advance of determination". It was also recommended that no lighting be installed within the site unless otherwise agreed with the Local Planning Authority. Through these measures, the proposed development will satisfy the requirements of Core Policy 50 of the WCS and relevant provisions of the framework.

Core Policy 50 seeks to secure ecological enhancement / Biodiversity Net Gain (BNG) for 'major' developments only. The proposed development will however result in over 50% BNG as outlined within the Ecological Assessment. The Council's Ecologist notes that "Section 4.4 of the ecology report describes the results of a BNG assessment using Metric 3.0. According to this assessment an acceptable net gain of 17.78% in habitat units is predicted through the creation of 0.38 ha of species rich grassland, 0.03 ha of attenuation pond, and 0.15ha of tree planting. In addition 0.07km of native species rich hedgerow will be planted resulting in a net gain of 50.72% in linear biodiversity units. With the exception of the attenuation pond, the majority of these habitats appear on the Landscape Design. Drawing Number 3077-01-11. Axis (July 2022) therefor these gains appear deliverable".

g) Whether the proposal would result in the loss of trees and ancient woodland

Core Policies 51, 52 and 57(i & ii) of the WCS require development proposals to conserve and enhance natural features including trees, hedges and woodland. Saved Policy NE12 of the North Wiltshire Local Plan supports the creation, conservation, enhancement and positive management of woodland. It also seeks to protect areas of ancient and semi-natural woodland. Saved Policy NE14 of the North Wiltshire Local Plan seeks to prevent the loss of trees, hedges and other important landscape or ecological features that could be successfully and appropriately incorporated into the design of a development.

The proposed development only has the potential to impact the trees / hedgerows along the north and east boundaries of the site. The application is therefore supported by a Tree Survey Report (TSR), Arboricultural Method Statement (AMS), Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP), all by ARBTECH (October 2021 and January 2022). A total of 6 no. individual trees, 4 no. groups of trees and 3 no. hedges were surveyed. The AMS identifies that the Proposed Development would not require the removal of any trees on the Site. The AMS identifies that some minor tree works would be required to accommodate the proposed

development. This involves lifting the crown of a Category A1 Oak to give clearance to facilitate installation of the compound fencing.

The overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site would not be adversely affected by the proposed development. The scheme involves significant new planting that will soften and screen the development but also contribute positively towards the local landscape character. The proposal will not result in the loss of any significant trees and ancient woodland and therefore accords with Core Policies 51, 52 & 57 of the WCS and Saved Policies NE12 and NE14 of the North Wiltshire Local Plan.

h) Whether the scheme would cause harm to areas of archaeological interest or to heritage assets

Core Policies 57(i & iv) and 58 of the WCS deal with conservation of the historic environment. The supporting text states that heritage assets include listed buildings, conservation areas, scheduled ancient monuments, registered parks and gardens, registered battlefields, world heritage sites, and non-designated heritage assets such as buildings and archaeological sites of regional and local interest (paragraph 6.136). The policy seeks to ensure that developments protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings are to be conserved, and where appropriate enhanced in a manner appropriate to their significance.

The submitted Planning, Design and Access Statement consider the impact of the proposed develop on the historic environment but correctly identifies that there are no heritage assets within close proximity of the site so there will be no impact. Archaeological Geophysical Survey (May 2022) by AOC Archaeology Group consider the potential of the development to impact below ground assets.

The County Archaeologist notes that the geophysical survey has revealed some anomalies of possible archaeological origin and therefore recommends that the results of the survey be ground-truthed via an archaeological trial trench evaluation. It was advised that the total length of trenching should be equal to approximately 2% of the proposed development with a 2% contingency for further trenching should this be required. the archaeological trial trench evaluation forms the first stage of possible further archaeological mitigation. Further archaeological investigation may be required either prior to or during construction or both. This will be dependent on the results of the archaeological evaluation undertaken prior to construction. Analysis and reporting commensurate with the significance of the archaeological results of further mitigation may also be required. The requirement for trial trenching and further works and analysis if necessary will be secured via a condition to be attached to any planning permission that may be issued to ensure compliance with Core Policies 57 & 58 of the WCS.

i) Whether the development would result in any other adverse environmental impacts

Core Policy 67 ‘Flood Risk’ of the WCS requires all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to the soil and ground (sustainable drainage system) unless site or environmental conditions make these measures unsuitable. The application is supported by Flood Risk & Surface Water Drainage Assessment (January 2022, updated October 2022) by KRS Environmental. The Assessment concludes by stating that the proposed development could operate “with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the National Planning Policy Framework (NPPF). The Proposed Development will considerably reduce the flood risk posed to the Site and to off-site locations due to the adoption of a Sustainable Drainage Systems (SuDS) Strategy”.

The Lead Local Flood Authority has removed its original holding objection following the submission of the updated Flood Risk & Surface Water Drainage Assessment. It is accepted that the assessment confirms that infiltration is an unsuitable method of surface water disposal due to low infiltration rates and as such it is proposed the surface water from the site be discharged into an adjacent watercourse. The Outline SuDS Strategy will take the form of 1. Permeable surfaces - crushed stone, and 2. Underground attenuation storage to the north-west of the site with restricted discharge to the northern drainage ditch. It is recommended that planning permission be granted subject to conditions to secure the implementation of the proposed scheme and the approval of full details. Such conditions will ensure that a suitable drainage scheme is designed and implemented in accordance with Core Policy 67 of the Wiltshire Core Strategy.

Dorset & Wiltshire Fire and Rescue Service (DWFRS) advises that they 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.

DWFR further advises that 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 Health and Safety Executive 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.

It is advised that 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. As such, DWFRS provide a series of recommendations to limit the potential for fire and to ensure emergency plans are as robust as possible. The full letter from DWFRS will be appended to any planning permission that may be granted along with guidance produced by the National Fire Chiefs Council, as referred to within the Planning practice Guidance on Battery Energy Storage Systems (Paragraph: 034 Reference ID: 5-034-20230814).

j) Whether the development would have an adverse cumulative impact

The cumulative impact of the proposed development was first considered as part of the EIA screening opinion. The Secretary of State concluded (on the 10 November 2023) that "Given the lack of intervisibility to other sites and relatively small and heavily screened nature of this proposal, significant adverse effect in this regard is unlikely for the various similar facilities in the locality". As such, the impacts of the development in cumulation with other existing development and/or approved development did not justify the need for an EIA.

The need to consider cumulative effects in planning and decision making is set out in planning policy. The Overarching National Policy Statement for Energy advises that for nationally significant infrastructure project (NSIP) developments "the considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits
- its potential adverse impacts, including on the environment, and including any long-term and **cumulative adverse impacts**, as well as any measures to avoid, reduce, mitigate or

compensate for any adverse impacts, following the mitigation hierarchy" (emphasis added) (par 4.1.5).

The material planning considerations would equally apply to any BESS development below 50MW considered by Local Planning Authorities, including any cumulative adverse impacts which would need to be considered within the overall planning balance. The NPPF advises that to help increase the use and supply of and supply of renewable and low carbon energy and heat, plans should "provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts)" (emphasis added) (par 160). The WCS requires development considered under Core Policy 47 to assess cumulative effects.

The Planning Practice Guidance advises that "The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero" (Paragraph: 013 Reference ID: 5-013-20150327).

The relevant guidance (Paragraphs: 022 Reference ID: 5-022-20140306 & 023 Reference ID: 5-023-20140306) advises that the cumulative landscape impacts and cumulative visual impacts are best considered separately. The considerations are as follows:-

- **Cumulative landscape impacts** are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape.

  In identifying impacts on landscape, considerations include: direct and indirect effects, cumulative impacts and temporary and permanent impacts. When assessing the significance of impacts a number of criteria should be considered including the sensitivity of the landscape and visual resource and the magnitude or size of the predicted change

- **Cumulative visual impacts** concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point, or will be visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites will be visible from the proposed development site, the proposal will not create any cumulative impacts

  In assessing the impact on visual amenity, factors to consider include: establishing the area in which a proposed development may be visible, identifying key viewpoints, the people who experience the views and the nature of the views.

The Council's Landscape Officer is of the opinion that the series of individual planning applications seeking planning permission for BESSs is harmfully changing the existing rural character of pastoral farmland into an industrialising urban sprawl radiating outwards from Minety Substation. The Officer explains that "The National Grid's Minety Substation site (currently) remains a well screened and integrated element of National Grid Infrastructure within this local area. Obviously, the overhead electricity transmission lines and their supporting pylons are visible elements in the countryside leading towards and away from the substation, but the local landscape retains its inherent peaceful pastoral character with important areas of ancient woodland, such as Park Copse and Stonehill Wood, amongst others, surviving remnants of

Braydon Forest, a former Royal Hunting Forest. Alongside this, the area has a strong nature conservation value / denoted by the local clustering of SSSI's and the areas of deciduous broadleaved woodland and areas of neutral/unimproved meadow present in the surrounding landscape. The area is sparsely settled, due to its historic use as a royal hunting forest and its comparatively more recent enclosure as farmland. The sparse rural settlement, presence of woodland and common land all contributes to this areas inherent rural, tranquil character. The presence of a water tower or the pylons crossing this landscape does not significantly alter the inherent peaceful character of the countryside, but the character of countryside around Minety Substation continues to decline from piecemeal industrialising development radiating outwards".

The Officer also questions whether the applications for BESSs and Solar PV are the reason why there is a need to extend Minety Substation; there is a "need to understand and establish whether the large number of BESS and solar PV applications in this locality are the drivers for the harmful expansion of Minety Substation, especially as BESS /Solar farm applicants often justify the reason why these developments are being proposed in this local area in the first place is due to National Grid's available grid connection capacity. If this turns out not to be the case, then the expansion of the substation site itself is a direct effect and consequence of these locally clustering renewable energy generation schemes and energy storage developments".

National Grid advised as part of its planning application (ref PL/2022/09258) to extend the substation that it had identified the need to extend the existing operational Minety 400kV Substation for a combination of the following reasons:

- Demand growth on the SSE network.
- Connection of embedded generation to SSE network.
- Connection of generation to National Grid network.

Embedded generation includes combined heat and power (CHP) plants, onshore wind, solar farms, and storage devices such as lithium-ion batteries.

National Grid advised it is aware of nine customers connecting directly into the expanded Minety 400kV substation but it is possible that other developments are connecting via the local Distribution Network Operator (DNO). The DNO apply to National Grid for additional capacity which enables an assessment of available and required capacity. National Grid advised that at Minety, this assessment has generated the need for a further SuperGrid Transformer which forms part of application ref PL/2022/09258, and other than the nine customers connecting directly to National Grid whose grid capacity is dependent upon the application, National Grid cannot comment on other planning applications and whether they have secured grid capacity as this would be via the DNO.

The information from National Grid indicates there is a clear demand to increase the capacity of the network as advised by the local DNO. The BESSs are part of National Grid Strategy to strengthen the network but are implemented and operated by third parties such as the applicants of the current BESS applications. There is therefore a clear locational requirement for the BESSs adjacent to the Minety substation or within the area where a connection is possible. However, the cumulative impacts of all developments has to be considered and any adverse impacts considered within the overall planning balance.

The current applications for BESSs, as listed below, are supported by Landscape and Visual Assessments and application PL/2022/05504, which is directly adjacent to the substation, includes a Cumulative Impact Assessment (September 2023) by RedBayDesign.

- PL/2022/02824 - Land at Somerford Farm, Brinkworth
- PL/2022/04524 - Land east of Ravensroost Road, Ravenshurst Farm, Minety
- PL/2022/05412 - Land off Dog Trap Lane, Minety

- PL/2022/05504 - Land at Stonehill, Minety, Wiltshire

The Cumulative Impact Assessment is based on data provided by the Council and considers the potential cumulative impact from energy generation / storage developments within a 10km study area. The assessment considers landscape and visual effects and sets out a clear methodology and criteria for assessing the potential impacts. The report mentions that "Wiltshire Council identified an additional 19 Renewable Energy sites and Minety Substation Extension within 10Km of the application site. Upon undertaking desk top and field study work It was considered that a good number of these schemes would likely not contribute to cumulative effects due to the distances involved combined with the discrete nature of the schemes" (par 5.1). However, the following were subject to a cumulative Landscape and Visual Impact Assessment because the sites are all directly adjacent to the substation and could all be viewed as one cluster of energy related developments:-

- PL/2022/05504
- 20/03528 (Approved) PV Solar
- 19/11460 (Approved) BESS
- 17/03936 (Approved) BESS
- 17/03941 (Constructed 2023) BESS
- 21/04151 (Approved) BESS
- 20/07390 (Approved) BESS
- 22/09258 (Planning) Substation extension

The Cumulative Impact Assessment concludes by stating it is considered that cumulative impact of application scheme *[PL/2022/05504]* over and above the consented schemes and planned substation extension would have a **Slight Adverse** impact to the landscape character of the study area. This is due to the increased number of this type of development into the area where there is a concentrated number of other consented and constructed schemes. Having said this the opportunities to experience the proposed schemes in isolation is limited and with very limited opportunity to experience two or more schemes at the same time, this being a short section of Public Footpath CHAR 16. Of all the schemes the application site *[PL/2022/05504*] would be the least noticeable due to its location within a discrete field being located some way from the footpath" (par 5.2).

"Due to the low lying undulating topography and the intervening vegetation there is very little opportunity for inter-visibility between the proposed energy sites. There may be some potential for combination effects along CHAR 16 between the application site, Minety Phase 3, the Solar scheme and the Substation extension, with the application scheme being the least noticeable of the three. From here the contribution of the application site would be negligible" (par 5.4).

The proposed BESSs the subject of this current application (PL/2022/02824 Land at Somerford Farm, Brinkworth) and applications PL/2022/04524 (Land east of Ravensroost Road, Ravenshurst Farm, Minety) and PL/2022/05412 (Land off Dog Trap Lane, Minety) are not immediately located adjacent to the Minety Substation and are all isolated. The individual Landscape and Visual Impacts Assessments for each proposal conclude that the developments would be well contained within the local landscape due to the topography of the land and natural screening, along with proposed mitigation measures in the form of structural landscaping. The developments would not be located within a sensitive landscape and would not be visible from the same point, and only glimpsed views would be experienced if travelling along the local highway network. It is however considered that the introduction of a number of BESSs within the area, alongside solar photovoltaic developments, will mean they become a notable features within the local landscape, albeit they will not become a defining characteristic of the landscape due to the magnitude of the predicated landscape impacts and the limited range of viewpoints where all developments would be visible from. It is therefore considered that the proposed BESSs developments away from the substation would not have an unacceptable cumulative landscape and visual impact.

10. Conclusion

The proposed development is for the installation of a battery storage facility which would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity. The proposed development would introduce an uncharacteristic industrial form of development on the site which currently forms part of the open undeveloped rural landscape. However, the impact of the proposal from a landscape and visual perspective will be localised and mitigated through a soft landscape design scheme. Furthermore, despite being isolated within the rural landscape, there are locational factors that influence the siting of battery storage facilities, primarily the 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 proposed development meets each of these key considerations and there are no objections from any statutory consultees. The ability to store electricity at the site would reduce the curtailment of renewable energy generation locally and reduce the need for fossil fuel generation, thereby minimising climate change. As such, while there continue to be concerns locally about the impact of the proposed development and the number of similar development within the area, on balance, significant weight is given to the potential of the development to contribute towards the strengthening of the electricity network and climate change objectives, and due to the lack of conflict with the development plan, it is recommended that planning permission be granted.

RECOMMENDATION
The recommendation is to grant planning permission subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

   REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Within six months of commencement of development on the site, a scheme for the decommissioning and restoration of the development shall have been submitted to and approved by the Local Planning Authority. The scheme shall include how the land will be restored back to fully agricultural use (apart from the retention of the planting as a valuable addition to the landscape), upon the development no longer being in operation or upon the expiry date of 40 years from the date of the development from the date electricity is first stored or distributed to/from the Grid, whichever is sooner. The Decommissioning and Restoration scheme of this development shall be carried out within six months of the expiry date of this permission in accordance with the approved scheme.

   REASON: To ensure upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition.

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

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

4. The development hereby permitted shall be carried out in accordance with the details shown in the following approved plans:
   - Drawing 3077-01-01 Site Location Plan
   - Drawing 3077-01-02 Statutory Plan Rev B
   - Drawing 3077-01-03 General Arrangement Rev D
   - Drawing 3077-01-04 Battery Storage Container
   - Drawing 3077-01-05 Inverter-Transformer Stations
   - Drawing 3077-01-06 Transformer
   - Drawing 3077-01-07 Switchgear Container
   - Drawing 3077-01-08 LV Switchgear Container
   - Drawing 3077-01-09 Fencing and Security
   - Drawing 3077-01-10 Existing Site Plan Rev A
   - Drawing 3077-01-11 Rev. B Landscape Design

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

5. Notwithstanding the details shown on the approved plans, no development shall commence on site until details of the materials, colour and finish of any built structures and containers, poles, fencing, gates etc., have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use and retained as such for the lifetime of the development.

   REASON: In the interests of visual amenity and the character and appearance of the area.

   NOTE: The use of neutral earth tone colours for elevational building / container treatments (including roof materials) and security fencing is important in this rural area. The use of white or light-coloured materials / finishes on containers and battery storage units or other infrastructure elements must be avoided and only used if functionally necessary.

6. The proposed soft landscaping scheme, as shown on the Landscape Design drawing (no. 3077-01-11 Rev. B) but subject to the amendments identified below, shall be carried out in the first planting and seeding season following the first operation of the development or the completion of the development whichever is the sooner, or in accordance with a schedule and timetable to be agreed in writing by the Local Planning Authority. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

   The amendments to the Landscape Design drawing (no. 3077-01-11 Rev. B) shall be as follows:-
   - The Tilia cordata (Small leaved lime) as noted in the plant schedules needs to be replaced with Quercus robur as this the predominant hedgerow specimen tree species on the Braydon Wooded Plateau on the Minety Rolling Clay Lowlands. The specimen tree planting centres will also need to be increased. Currently they looked to be planted at 5m centres which is not characteristic of the rolling clay lowlands hedgerows. A more random spacing of 10-15m will allow the trees more room to mature over time.
   - The hedgerow planting whips shall be increased in size from 40-60cm to 150-180cm bare root feathered stock to provide better initial screening as per my previous comment.
   - The Rosa canina shall be removed and replaced with Ilex aquifolium (holly) to give some evergreen screening during the winter months.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7. The development hereby permitted shall be carried out in accordance with mitigation measures to control noise detailed within section 7.4 of the Noise Impact Assessment (January 2022) by NVC Ltd and the level of noise emitted from the site shall not exceed the maximum level detailed within the assessment.

   REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. No construction work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

   REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

9. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
   i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
   ii. A description of management responsibilities;
   iii. A description of the construction programme;
   iv. Site working hours and a named person for residents to contact;
   v. Details of vehicle routing to the site
   vi. Detailed site logistics arrangements;
   vii. Details regarding parking, deliveries, and storage;
   viii. Details of the measures to control the emission of dust, dirt and noise during construction;
   ix. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
   x. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

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

   REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

10. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Ecological Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
    a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
    b) Working method statements for protected/priority species, such as nesting birds and great crested newts.

c) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
d) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
e) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

11. No development shall commence until a pre-construction highway photographic survey to be carried out from the site access eastbound along Eighty Acres (C67) to its junction with Ravensroost Rd (C76) has been carried out. Upon completion of the construction phases, a post construction survey shall be carried out at the same location. Details and results of both before and after survey shall have been submitted to the Council as the Highway Authority within 3 months of the first operation of the development. Those submitted details and results shall be accompanied by a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development, to be carried out at the expense of the applicant, which shall have been agreed in writing with the Local Planning Authority beforehand.

    REASON: So as to secure a scheme for the repair of the public highway following completion of substantive construction works

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage details have been submitted to and approved in writing by the local planning authority. Illumination levels shall not exceed those specified for Environmental Zone 1 as set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)". The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

    REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

13. The development hereby permitted shall be carried out in full accordance with the recommendations and mitigation measures detailed within the Tree Survey Report (October 2021), Arboricultural Method Statement (January 2022), Arboricultural Impact Assessment (January 2022), and Tree Protection Plan (January 2022), all by ARBTECH.

    REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

14. No development shall commence on site until:

    a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest

15. Notwithstanding the contents of the Flood Risk & Surface Water Drainage Assessment (October 2022) by KRS Environmental, no development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

    REASON: To comply with Core Policy 67: Flood Risk of the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

    NOTE: The Lead Local Flood Authority advises the following updates will be required to the scheme presented within the aforementioned assessment:-
    - The detailed design of the perforated pipes that will underlay the crushed stone base.
    - The proposed site drainage plan showing the exceedance routes (overland flow paths) as arrows and confirmation that the finished floor levels above the maximum predicted 100 year flood level.

16. No development shall commence on site until details of the drainage arrangements during the construction phase have been submitted to and approved in writing by the Local Planning Authority.

    REASON: To comply with Core Policy 67: Flood Risk of the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others and to manage the risk of pollution during the construction phase.

    INFORMATIVE
    The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

    INFORMATIVE
    There is a risk that great crested newts could occur on the development site. This species and its resting places are legally protected Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and Wildlife and Countryside Act 1981 (as amended). Planning permission does not provide a defence against prosecution. The developer is advised to undertake site clearance and construction in accordance with the recommendations made by an independent ecologist. If this species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

    INFORMATIVE

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent isrequired if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

INFORMATIVE
The attention of the applicant is drawn to the recommendations made by the Dorset and Wiltshire Fire and Rescue Service as outlined within their consultation response to the application, dated 16 December 2022, and the guidance produced by the National Fire Chiefs Council, as referred to within the Planning practice Guidance on Battery Energy Storage Systems (Paragraph: 034 Reference ID: 5-034-20230814).