

REPORT FOR PLANNING COMMITTEE

Application Number	PL/2022/04524
Site Address	Land east of Ravensroost Road, Ravenshurst Farm, Minety, Malmesbury, SN16 9RJ
Proposal	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
Applicant	Conrad Energy (Developments) II Limited
Town/Parish Council	Minety
Electoral Division	Minety – Councillor Chuck Berry
Grid Ref	403012 188462
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 Chuck Berry (Minety Division) (on the 17 October 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 proposal is for one of eleven applications for Battery Energy Storage Systems in the area so the cumulative impact needs to be 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:

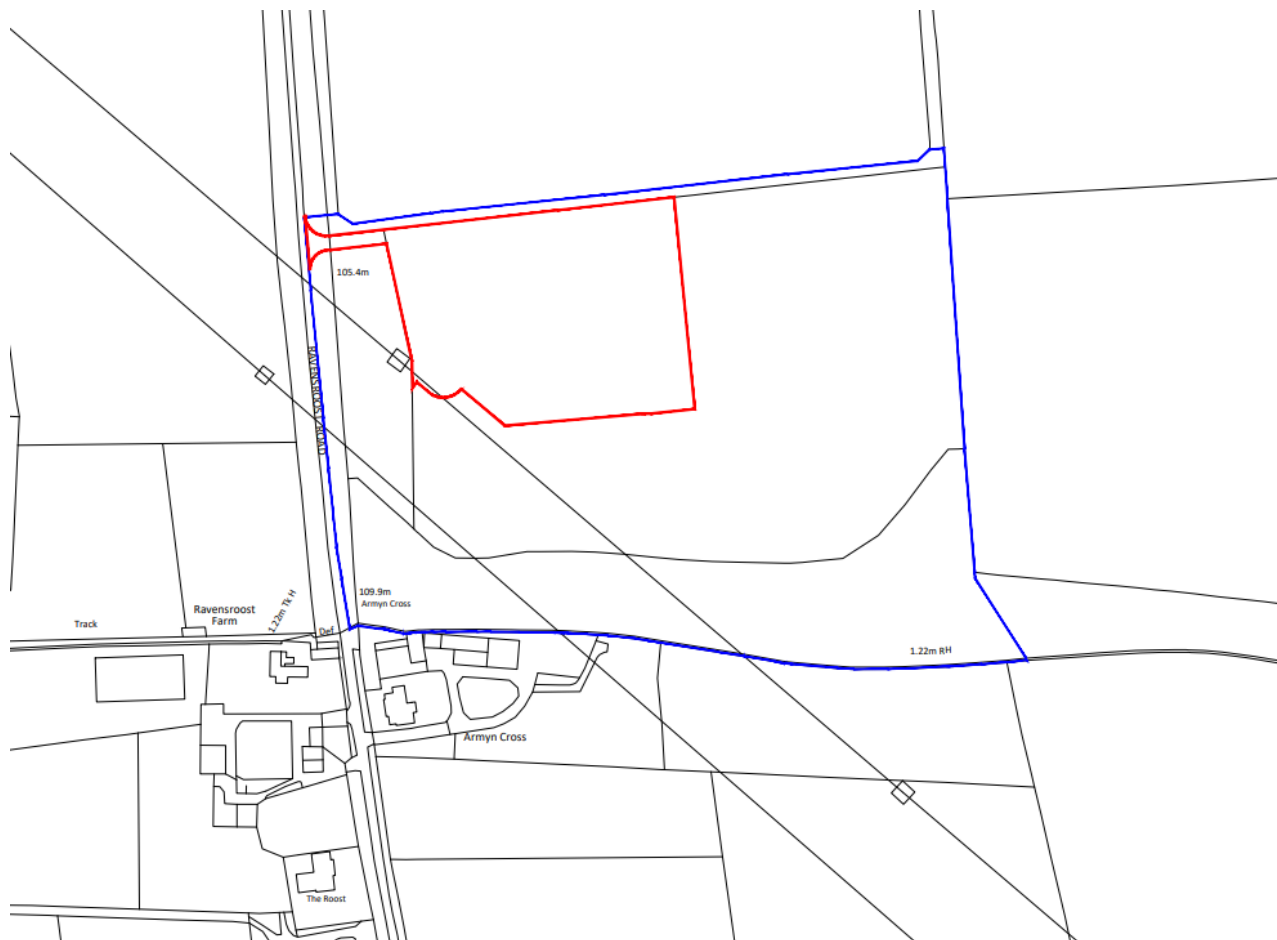
- a) Whether the proposal is acceptable in principle;
- b) Whether the proposal would result in the loss of agricultural land;
- c) Whether the proposal would be harmful in terms of its landscape and visual impact;
- d) Whether the scheme would give rise to an adverse impact on residential amenity;
- 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 application site is a green field located in open countryside comprising approx. 1.17 hectares of Grade 3 Agricultural land situated approximately 1.8km to the south of the small village of Minety. The site as existing is situated within predominantly flat pastureland with woodland planting along the northern, southern and western edges of the field which lies to the immediate east of the classified C76 road which runs north to south. Access from the highway is provided via an existing field gate sat back from the road.

Bridleway reference MINE58 follows a route along the southern edge of the field through an existing young/semi mature linear woodland belt. Beyond this lie a number of residential properties and farm buildings with the closest dwelling being approximately 100m to the south. Other farms and associated residential buildings are situated approximately 600m to the north of the site and 600m to the east of the site. Cutting diagonally across the field running north-west to south-east are two National Grid high voltage overhead cable lines supported on a large pylon.



Site Location Plan (Drawing 20029-LP-002 Location Plan)

The site is not within any area designated for nature conservation however there are two Sites of Special Scientific Interest (SSSIs) to the north (Distillery Farm Meadow) and north west (Ravensroost Wood) within 500m of the proposed site

4. Relevant Planning History

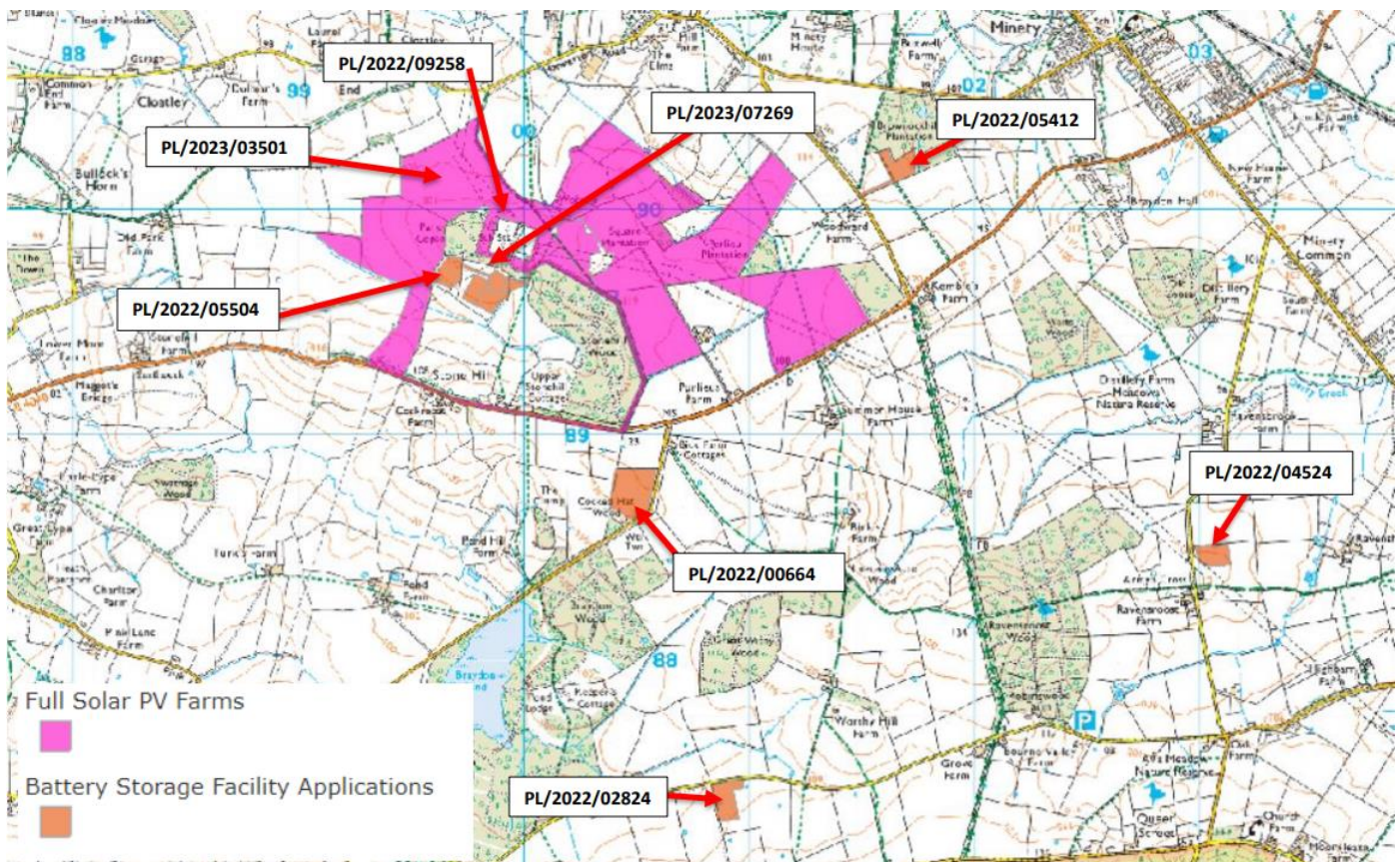
The following planning application is material to the assessment of the current proposal:-

- 18/04914/FUL - Development Works Required for the Construction of a Battery Energy Storage Facility - Land Adjacent to Ravensroost Farm, Minety, Malmesbury, Wiltshire, SN16 9RJ – Granted 10 October 2018

The application was approved by the Northern Area Planning Committee subject to 16 conditions.

There are other current planning applications before the Council for Solar Photovoltaic and Battery Energy Storage System developments. They are as listed as follows and identified on the map below:-

- PL/2022/02824 - Land at Somerford Farm, Brinkworth, SN15 5AU - Proposed Development is for a battery storage facility and ancillary development. (2.6km 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.

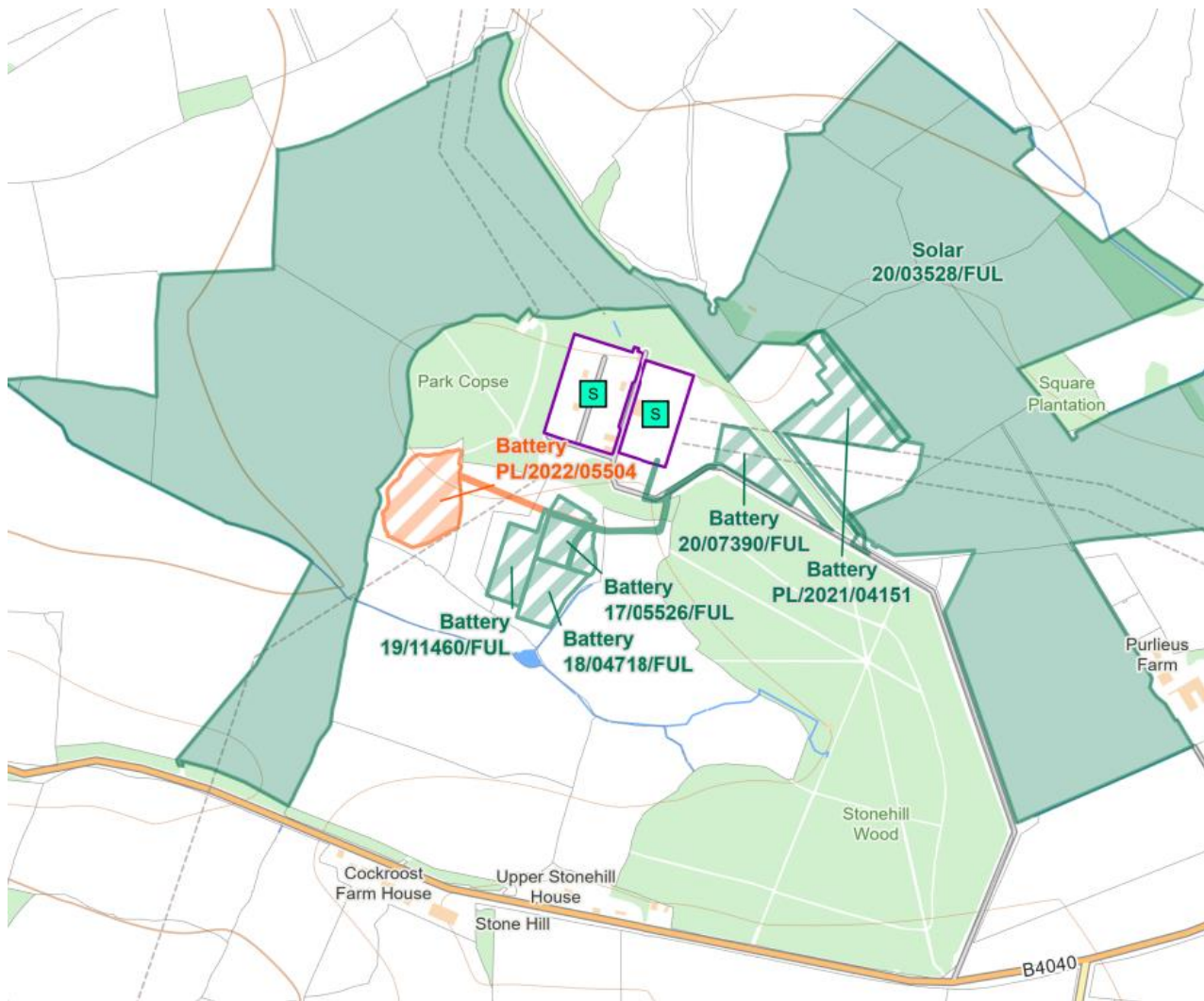
The following current applications, for an extension to the Minety Substation and another Battery Energy Storage System, are also relevant to the assessment of the current proposal and are identified on the map above:-

- 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)
- 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*)



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

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

Environmental Impact Assessment

The Town and Country (Environmental Impact Assessment) Regulations 2017 requires the Local Planning Authority (LPA) to adopt a screening opinion to determine whether the proposed development should be classified as Environmental Impact Assessment (EIA) development.

The proposed development does not fall within any of the specific descriptions set out in Schedule 1 of the Town and Country (Environmental Impact Assessment) Regulations 2017 but does fall within Schedule 2, Column 3 'Energy Infrastructure'. While it is recognised section 3(a) applies to "Industrial installations for the production of electricity, steam and hot water" the proposed development is clearly linked to the management and distribution of electricity.

The proposed development has therefore been considered against the selection criteria for screening Schedule 2 development set out at Schedule 3 of the Regulations i.e. characteristics of development, location of development, and type and characteristics of potential impact. The Local Planning Authority originally concluded that the proposed development on its own would not result in effects the significance of which would require an environmental impact assessment. However, the proposal cannot be considered in isolation. There are multiple existing and approved energy infrastructure developments in the locality and there is a link between the current proposal and the proposed extension of the Minety Substation. It was considered that the cumulative impacts would be likely to have significant effects on the environment, particularly on the character of the landscape and on the traffic on the local highway network during the construction phase. Therefore, it was advised that the proposal is EIA development, and an environmental statement is required.

The screening opinion adopted by the Local Planning Authority did however state that "Screening Directions are currently awaited from the Secretary of State in respect of two similar development proposals (PL/2022/02824 Land at Somerford Farm, Brinkworth & PL/2022/05412 Land off Dog Trap Lane, Minety). The Secretary of State's decision in those cases will either confirm the present screening opinion or necessitate a further review of the proposal". The Secretary of State has since determined that for both applications the proposals would not be EIA development. The following conclusion was reached for both applications; "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".

The Local Planning Authority has therefore reviewed the original screening opinion for this current proposal in light of the view and standard set by the Secretary of State. It was always the case that the proposed development, when considered in isolation, would not result in significance effects that would require an environmental impact assessment. The culminative impact was the decisive factor with the Local Planning Authority stating there is increasing concern over the cumulative effects of multiple schemes in the locality and not solely in terms of the landscape and visual effects. There is a view that, rather than being a series of unrelated proposals, they are part of a larger project for National Grid that would be EIA development.

The Secretary of State however advised that the Battery Energy Storage System (BESS) developments under focus and the proposed expansion of the Minety Substation by National Grid (application PL/2022/09258) are not part of a single project. The grid connection for any BESS would constitute the same project but the substation development does not. The point of connection to the grid for BESSs therefore form part of the same project for EIA screening purposes. The

Secretary of State also considered the similar or related developments within the area which are currently proposed or approved. The cumulative noise impact and landscape and visual impact during the operational phase of the energy related developments were considered, along with the cumulative construction phase impacts.

The Secretary of State concluded (on the 22nd November 2023) that significant effects from noise impact from the BESS alongside other such similar facilities, whether existing, approved or pending facilities is unlikely to be significant for the nearest sensitive receptors. In terms of landscape and visual impact, given the lack of intervisibility to other sites and relatively small and heavily screened nature of the proposal, significant adverse effect in this regard is unlikely for the various similar facilities in the locality. Furthermore, cumulative construction phase impacts are unlikely, these projects have a relatively short construction phase even in the event the construction of more than one site in the vicinity coincided construction phase the impacts are unlikely to be significant. Finally, it was advised; "Overall, given also that the Secretary of State considers multiple catastrophic events across sites is unlikely (e.g. leading to cumulative pollution impacts such as through battery leakage), based on the information available he considers any such cumulative impacts arising from this proposal alongside the other approved or other existing BESS development (or other energy infrastructure development) is also unlikely. This conclusion has regard to all of the above issues, given the location, nature, scale, and characteristics of the proposed BESS development".

The proposed BESS development currently proposed on Land east of Ravensroost Road, Ravenshurst Farm, Minety is an isolated development that will have localised landscape and visual impacts. As such, and having regard to the view of the Secretary of State regarding the potential for significant effects as a result of traffic on the local highway network during the construction phase, it is now concluded that cumulative impact of the development currently proposed alongside the energy related developments within the area would not result in significant environmental.

The Local Planning Authority's reason for concluding that the proposed development is not EIA development is that it does not consider that the proposed development would, by reason of its nature and scale, generate other waste, or traffic, or pollution and nuisances, or risks of accidents of such significance or unpredictability to require EIA. Furthermore, the environmental sensitivity of the location is such that impacts on matters such as existing uses, populated areas and landscape, are unlikely to be so significant to require EIA.

The proposal is not therefore EIA development, however cumulative impact is a key consideration when considering the acceptability of the proposal under relevant planning policies and guidance as discussed below.

5. The Proposal

The application seeks full planning permission for a Battery Energy Storage System (BESS) with a capacity of c.50MW. 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. The site would also be surrounded by a security fencing and new landscaping and biodiversity enhancements.

The Planning Statement (May 2022) by aardvark explains that the BESS is designed to capture energy and use it at a later pre-determined date. These systems complement intermittent sources of energy such as wind, tidal and solar power in an attempt to balance energy production and consumption. In addition, BESS's can provide system security by supplying energy during electricity outages, minimising the disruption and costs associated with power outages.

The Design & Access Statement (May 2022) by aardvark provides a detailed description of the development and lists the individual items of infrastructure to be installed:-

- 30no. battery energy storage containers
- 15no. inverter containers
- Amenity cabin/welfare
- Customer Control room/switch room
- Auxiliary Transformer
- DNO (*District Network Operator*) substation

The BESS compound has been sited within the red line area of the previously approved development under application reference 18/04914/FUL.



Proposed Site Plan (drawing ref. 20029-PP-004 Rev F)

The Proposed Site Plan shows that the proposals include a compound which will have a crushed aggregate surface surrounded by a 2.4m security fence containing the 45 containers and infrastructure listed above. The maximum height of the structures is stated to be 5.5m positioned on a levelled-out area of the site. The development would be accessed from an existing field gate that links to Ravensroost Road in the north-west corner of the application site.

The point of connection for the proposed development to the electricity grid, would be at a point of connection to the local distribution network west of Ravensroost Road next to the 132KV overhead line. The application explain that the applicant has accepted a unilateral grid offer with the local Distribution Network Operator (DNO) who will undertake the works rather than the applicant under their statutory powers. The grid connection point and identified compound area is shown on the site layout plan but without detail. This will be subsequently supplied by the DNO prior to undertaking the works. Accordingly, planning permission is not being sought for this element of the scheme.

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

- Document. Design & Access Statement by Aardvark EM
- Document. Noise Assessment by Inacoustic
- Document. Preliminary Ecological Appraisal by Western Ecology
- Document. Biodiversity Net Gain Plan by Western Ecology
- Document. Biodiversity Net Gain Metric by Western Ecology
- Document. Landscape and Visual Appraisal by Swan Paul
- Document. Flood Risk Assessment by Awcock Ward
- Document. Agricultural Land Classification report by Aardvark EM Limited

- Drawing. Location Plan by Conrad Energy – ref. 20029-LP-002
- Drawing. Proposed Site Layout Plan by Conrad Energy – no. 20029-PP-004-F (1:200) and 20029-PP-005-B (1:500)
- Drawing. Amenity Cabin – ref. CEL-STD-AC-540_-40' AMENITY CABIN -AS-(A3)
- Drawing. Acoustic fence – ref. CEL-STD-AF-731_Acoustic Fence-(A3)
- Drawing. Battery Unit – ref. CEL-STD-BATT-RSU-375_GE-Battery Unit_A3
- Drawing. Inverter Unit – ref. CEL-STD-BATT-INV-380_GE Inverter_A3
- Drawing. Security Camera – ref. CEL-STD-CCTV-800_ Security Camera-(A3)
- Drawing. Palisade Fence and Gate – ref. CEL-STD-PF-G-700_Palisade Fence and Gate-(A3)
- Drawing. DNO Substation – ref. CEL-STD-132kV-203_ 132kv Substation (A2)
- Drawing. Switchroom – ref. CEL-STD-SW-135_Switchroom (A3)
- Drawing. Auxiliary Transformer – ref. CEL-STD-TX-165_Auxiliary Transformer-(A3)
- Drawing. Landscape Planting/Mitigation Plan – ref. SPP07-F Mitigation Plan
- Drawing. Preliminary Drainage layout – ref. 1292-01-Prelim Drainage Layout-1001-C

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 formal consultation and publicity. The most recent response from each consultee is summarised below:

Environment Agency – No observations.

Natural England – No observations – “we have no specific comments to make”.

National Grid – No objection; “there are no National Grid assets affected in this area.”

Dorset & Wiltshire Fire and Rescue Service – Standard advice provided

Council Archaeology – No objection, no further archaeological investigation works required.

Council Highways Department – No objection, subject to the conditions to secure a Construction Management Statement, a photographic pre-condition highway survey, and for the access arrangements to be safely laid out.

Council Ecologist – No objection subject to conditions to secure a Construction Ecological Management Plan, to limit lighting, and the implementation of the Biodiversity Net Gain Scheme

Council Landscape Officer – No objection subject to conditions to ensure the development is temporary and the land is restored to its existing agricultural use after 25 years, an updated landscape design scheme and its implementation, and a Landscape and Ecological Management Plan (LEMP) to ensure the establishment and long term management of the mitigation / planting scheme.

Council Arboricultural Officer – No observations

Council Drainage Officer – No objection to the updated application subject to a condition to secure full details of the proposed surface water drainage scheme.

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

Minety Parish Council – Objection – “Minety Parish Council supports green energy solutions, but objects to this battery storage planning application because it:

- is close to residential properties,
- is on a green field site, near public footpath/ bridleway and a further local residents permitted footpath,
- has been “hurriedly” put together,
- has not given due consideration to the environmental impact,
- involves additional construction works without submitting a Construction Management Plan (new sub-station, substantial roadworks, water works tbc),
- has not clarified fire risks, flood risks, issues arising from nearby mains gas pipe, or other environmental risks”.

Minety Parish Council’s full response (dated 28/07/2022) outlines the grounds for objecting to the application in further detail, and draws attention to inaccuracies within the application and identifies conflict with planning policy.

Hankerton Parish Council – Objection. The Parish Council has provided very detailed comments (dated 28/09/2022) objecting to the application on the following grounds:-

- There are currently 11 development/proposals of battery energy storage scheme (BESS) connecting into the sub-station at Stonehill on the Hankerton/Charlton parish border.-
- There are concerns about the use of Lithium-ion, fire safety and toxicity hazards represented by the chemistry in BESS.
- There are concerns that the proposal will increase environmental hazard for communities and wildlife living near or adjacent to the site.

8. Publicity

As a result of publicity, representations have been received from 32 people, a small number acknowledge the need to excess electricity but all object to the proposed development on the application site for the following reasons:-

- The proposed development is not at Ravensroost Farm but Ravenshurst Farm
- The development is of an industrial nature but on agricultural land
- The development will result in the unnecessary loss of greenfield land
- The development will harm local habitat / wildlife
- The development should be on brownfield land
- The development would be sited off a narrow country lane.
- The development will adversely impact local road users & neighbours
- The road infrastructure which would serve the development is insufficient
- The site is next to a bridle path (MINE58) which forms part of an important horse riding circuit with byway CHAR
- The development will have an adverse noise impact
- The development would result in light pollution
- The development will pose a fire risk / hazard - lithium energy storage is prone to leakage and fire
- The development is one amongst many at Minety
- Minety is already host to the largest battery storage unit in Europe
- There is no demonstrable need for any more storage around this area
- The development would within close proximity to the SSSI at Ravensroost and Wiltshire Wildlife Trust land
- The need to reach net zero carbon targets should not outweigh the needs of the local community, rural countryside which is an area of historical interest and outstanding natural beauty.
- The application is not supported by a Risk Assessment
- The application is not 'broadly similar' (as stated within the supporting documents) to the previous approval, the proposal is bigger, will take longer to build and will be closer to existing dwellings.

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 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 50MW BESS.

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 applicant, Conrad Energy (Developments) II Limited, is a full-service Independent Power Producer (IPP) that delivers power to the National Grid and Commercial customers, and the primary function of the proposed development is to provide standby electricity storage capacity into the local distributive network at peak times to avoid fluctuations and blackouts and can aid in avoiding transmission losses when electricity is transmitted over long distances. Transmission losses can be up to 14%. Times of generation will match times of peak demand within the local network and generation can be controlled remotely. The proposal therefore aligns with the

Government's objective to strengthen the electricity network and enable energy to be used more flexibly. 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 does not provide details of the site selection process but it is evident that the chosen location is due the 132KV overhead line that is directly next to the site and offers a point of connection to the grid. The location is also appropriate because it has access to the highway network, is away from neighbouring properties, and within an area that is not protected by any national or local landscape or ecological designations. The site specific impacts of the proposed development and thus the acceptability of the development are however 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 3 agricultural land according to broad areas identified by Natural England. The application is supported by an Agricultural Land Classification report (November 2023) by Aardvark EM Limited which advises that following on site investigation the land is classed as Grade 3b. The proposed development would not therefore result in the loss of 'best and most versatile land'. 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) by Swan Paul Partnership Ltd which refers to the relevant character area (character area 11B: Minety Rolling Clay Lowland) 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.

The Landscape and Visual Appraisal concludes by stating that “The site itself is not displaying many unique characteristics of the ‘11B: Minety Rolling Clay Lowland’ character type, and those present are representative and are mainly in the surrounding environs. The modest nature of the development has also resulted in magnitude ratings which are generally ‘low’ for landscape effects. It is anticipated that this, combined with the consideration of this location as having a high capacity to accommodate change, combined with landscape mitigation measures that will improve character and habitat potential, will lead to slight adverse effects for the worst case. The landscape change is therefore not considered to be substantially adverse” (par 7.5.6).

The Council's Landscape Officer highlights that “The nature of proposed development is industrial which is not characteristic of this rural landscape, so it is important to consider whether the proposed development site has been sensitively located and the proposed development is appropriately screened and/or has capability to be screened from local and wider views in order to safeguard existing public visual amenity and not detract from the character of the local area and wider landscape”. The Officer has considered the application and assessed the design of the development, alongside the mitigation measures proposed, and its potential impact on landscape character and visual amenity. The following conclusion is reached:-

“The application site lies in a gently undulating rural agricultural landscape comprising a patchwork of woodland and fields bounded by mature hedgerows with hedgerow trees. Human Settlement is characteristically sparse, and the area has a quiet rural tranquillity and an overarching wild wooded character. The nature of the proposed development is permanent, industrial electricity infrastructure which despite being located close to some existing overhead power lines will result in some uncharacteristic and harmful landscape and visual effects. The loss of existing pasture and its permanent replacement with a new urban industrial use is the most obvious adverse landscape effect. Adverse visual effects will be localised and potentially minimised with the retention and continued management of existing perimeter hedgerows and woodland in combination with the proposed additional planting as mitigation. If the LPA is minded to support this application, then I highlight that further potential piecemeal development of this urbanising nature in the remaining field areas will likely increase the scale and magnitude of adverse landscape and visual effects at this location.

This landscape character area is a largely tranquil and sparsely settled rural landscape that is valued for its remnant remains of ancient woodland and for its nature and conservation value with its historic association as a royal hunting forest.

I would feel far more comfortable if there was a finite time period for the development/landuse (i.e. temporary), and ultimately a requirement to restore the site back to agricultural or agri-environment/forestry use/s after the cessation of electricity storage and transmission uses etc.”.

The applicant subsequently confirmed its agreement to conditions limiting the lifetime of the development to 25 years from the first commercial export of electricity to the grid and an appropriate decommissioning condition (as previously imposed on planning permission ref 18/04914/FUL. This is welcomed by the Landscape Officer who noted that the identified 'permanent' effects will change to 'fully reversible' effects which is key when considering the long term overall effects of the proposed development on landscape character and visual amenity.

In light of the above, it is evident that the proposed development would result in a significant change in the 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 and visual amenity.

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 Design 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 Assessment (07 June 2022) by Inacoustic which considers the potential noise generation from the static plant components associated with the proposed development, with respect to existing sound levels in the area. The assessment concludes that the development "will give rise to rating noise levels that are in the region of or below the measured background sound level in the area, at each assessed receptor. The assessment also identifies that no change in ambient sound level will be engendered as a result of the Proposed Development in its proposed and assessed form. Consequently, the assessment demonstrates that the Proposed Development will give rise to a low impact in the context of BS4142 guidance and that its effects would be within the range of the NOEL category of the NPPG England guidance".

It is however important to highlight that the report specifies that "without mitigation, the outcome is likely to cause a significant adverse impact" and therefore a mitigation strategy is proposed (par 5/1/2). These include the orientation of the infrastructure, means on enclosure around the infrastructure and 3m acoustic perimeter fencing. The Council's Public Protection Officer highlights the need for the mitigation measures but supports the application subject to their implementation which will need to be a condition of any planning permission that may be granted.

The Council's Public Protection Officer draws attention to the lighting to be installed and recommends that it be subject to an assessment to determine its impact on the local amenity. This can be secured via a condition of any planning permission that may be granted.

It is recognised that there may be some disturbance created during the construction phase, however the Council's Public Protection Officer confirms that the site is remote enough that impacts due to noise and dust from its construction is unlikely to significantly impact on local residents. It is however recommended that a Construction and Environmental Management Plan (CEMP) be submitted and approved via condition.

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 Design and Access Statement explains that the access, which is designed to accommodate large modern farm machinery is sufficient to meet the needs of the development and therefore no alternations to the access needs to be made. There are several routes to the proposed development site either to the south using the B4042 or the north using the B4040. These would provide access to the development site and site compound for construction staff and deliveries. A Construction Traffic Management Plan has not been submitted upfront (despite reference to one within the Design and Access Statement).

The Planning Statement mentions that the proposed development once completed and operational will require minimal site visits by operations and maintenance staff using cars or vans, such, once operational the additional traffic movements associated with the proposed development will be negligible on the local road network.

The construction period is anticipated to be over a nine month period (rather than the 16 weeks mentioned in the Planning Statement) as shown in the submitted Vehicle Movements Programme. The Highway Authority has reviewed the data and advise that “the largest number of movements are to occur with a range of 30 weekly movements in week 17 to 50 movements in week 25. The highest concentration of trips will occur during weeks 22 to 25 which will see approx. 60 weekly movements, where two movements will involve one vehicle travelling to and from the site. This concentration equates to 10 movements per day which will likely not cause a significant negative impact on the local highway network”.

The impact of the proposed development on pedestrian and highways safety is a key area of concern which has been expressed by the local community. The Highway Authority is however satisfied that the local highway network is able to safely accommodate the vehicles associated with the development, and subject to conditions to secure a Construction Traffic Management Plan and photographic record of the highway, alongside a scheme to secure future repairs if necessary, there is no objection to the proposed development.

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 unacceptable 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 is therefore supported by a Preliminary Ecological Appraisal and Biodiversity Net Gain Plan by Western Ecology. The site supports modified grassland with sealed surface of low importance and native species-rich hedgerow which will retained. The development will however deliver a 21% net gain in habitat areas (1.0 units) and 32% net gain in hedgerow units (0.40 units).

The Council's Ecologist confirmed that the site is not within any site designated for nature conservation and although there are two Sites of Special Scientific Interest (SSSIs) within 500m of the proposed site, the nature and small scale of the works make the proposal unlikely to result in off-site impacts that could affect the integrity of the SSSIs.

The development has limited potential to have an adverse impact due to the agriculture nature of the land and the Council's Ecologist is able to, following the receipt of further information and the relevant licence in relation to Great Crested Newts, support the application subject to conditions to secure a Construction Ecological Management Plan, limit lighting, and the implementation of the Biodiversity Net Gain Scheme (BNG). The BNG will be well in excess of the national 10% requirement that will become mandatory later this year. The proposed development will therefore comply with the requirements of Core Policy 51 of the WCS.

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 overall quality and longevity of the amenity contribution provided for by the trees and groups of trees to the north and west of the site would not be adversely affected by the proposed development. The scheme involves significant new planting that will soften and screen the development. The proposal will not result in the loss of any 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.

There are no designated heritage assets within close proximity of the site that have the potential to be impacted by the proposed development. The County Archaeologist did however request a geophysical survey which was subsequently submitted. It was then confirmed that sufficient work has been undertaken to characterise the archaeological potential of the application area and that no further form of archaeological mitigation is necessary. The development is not therefore anticipated to harm any designated or non-designated heritage assets and complies with will 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 Assessment (June 2022) by awp which considers the potential flood risk and presents a surface water drainage scheme.

It is proposed to reprofile the site to provide a suitable development plateau. The regrading will retain watershed catchments and will offer a shallower grade across the site which in turn would

prioritises infiltration (if any) and reduce any residual runoff. The Lead Local Flood Authority requested geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment (BRE) Digest 365 – Soakaway Design to support the strategy of infiltration beneath the gravel layer and the swale. If infiltration is not feasible then an alternative drainage strategy should be sought.

The applicant subsequently provided further drainage information as part of the Health & Safety Strategy (November 2022) and requested that a full and final drainage scheme be secured via a condition. The Lead Local Flood Authority is satisfied that due to the nature of the development and site area it will be feasible to install a surface water drainage scheme which could be secured via condition. This would ensure that a suitable drainage scheme is designed and implemented in accordance with Core Policy 67 of the Wiltshire Core Strategy.

The applicant's Health & Safety Strategy (November 2022) responds to many of the local concerns raised in relation to the health and safety of the development and in particular the risk of fire. It provides further information in relation to design and ongoing management of the development to prevent and mitigate against the risk of any impacts on the environment.

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 the Control of Major Accident Hazards Regulations (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 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 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 application PL/2022/04524 (Land east of Ravensroost Road, Ravenshurst Farm, Minety) and applications PL/2022/02824 (Land at Somerford Farm, Brinkworth) 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 development would be well contained within the local landscape due to the topography of the land. 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 Energy Storage System (BESS) with a capacity of c.50MW. The purpose of the development is to provide standby electricity storage capacity into the local distributive network at peak times to avoid fluctuations and blackouts and can aid in avoiding transmission losses when electricity is transmitted over long distances.

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 with the point of connection to the electricity grid being via the local distribution network west of Ravensroost Road next to the 132KV overhead line.

The proposed battery energy storage facility will make an important contribution to ensuring constant energy is supplied at this time of constraints on new energy generation infrastructure and increasing demand from industry and communities. In addition, battery energy storage will help to provide a key source of flexibility to help address some of the challenges associated with the transition to a low-carbon electricity sector.

The principle of the proposed battery storage facility, associated works and connection point is acceptable at national and local level. The site is not located within any protected landscape, and identified issues of ecology, landscaping, highways and drainage can be satisfactorily addressed by appropriate conditions. There would be a positive public benefit in the form of energy security and the ability to store excess energy and thereby a saving of carbon emissions contributing towards government supported goal of a reduction in such emissions. No unacceptable residential or visual amenity issues would arise. It is acknowledged that the proposed development may be visible to the immediate surrounds in particular from public footpaths, but the existing and proposed planting would reduce the impact of the proposed development. The proposed access and local highway network are capable of accommodating the low level and frequency of construction and operational traffic movements.

There are no objections from any statutory consultees. As such, while there continue to be concerns locally about the impact of the proposed develop 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. Location Plan by Conrad Energy – ref. 20029-LP-002
- Drawing. Proposed Site Layout Plan by Conrad Energy – no. 20029-PP-004-F (1:200) and 20029-PP-005-B (1:500)
- Drawing. Amenity Cabin – ref. CEL-STD-AC-540_-40' AMENITY CABIN -AS-(A3)
- Drawing. Acoustic fence – ref. CEL-STD-AF-731_Acoustic Fence-(A3)
- Drawing. Battery Unit – ref. CEL-STD-BATT-RSU-375_GE-Battery Unit_A3
- Drawing. Inverter Unit – ref. CEL-STD-BATT-INV-380_GE Inverter_A3
- Drawing. Security Camera – ref. CEL-STD-CCTV-800_ Security Camera-(A3)
- Drawing. Palisade Fence and Gate – ref. CEL-STD-PF-G-700_Palisade Fence and Gate-(A3)
- Drawing. DNO Substation – ref. CEL-STD-132kV-203_ 132kv Substation (A2)
- Drawing. Switchroom – ref. CEL-STD-SW-135_Switchroom (A3)
- Drawing. Auxiliary Transformer – ref. CEL-STD-TX-165_Auxiliary Transformer-(A3)
- Drawing. Landscape Planting/Mitigation Plan – ref. SPP07-F Mitigation Plan
- Drawing. Preliminary Drainage layout – ref. 1292-01-Prelim Drainage Layout-1001-C

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, set against dark landscape backdrops of woodland and trees etc.

6. Notwithstanding the details shown on the Landscape Planting/Mitigation Plan (ref. SPP07-F Mitigation Plan), no development shall commence on site until an updated scheme of hard and

soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a. location and current canopy spread of all existing trees and hedgerows on the land;
- b. full details of any to be retained, together with measures for their protection in the course of development;
- c. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d. means of enclosure, including perimeter fencing recommended within the approved Noise Assessment;
- e. car park layouts;
- f. other vehicle and pedestrian access and circulation areas;
- g. all hard and soft surfacing materials;

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

NOTE: The updated and final scheme of hard and soft landscaping should address the recommendations of the Council's Landscape Design Officer as detailed within the original consultation response dated 26.07.2022.

7. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the date electricity is first stored or distributed to/from the Grid or the full completion of the development whichever is the sooner; 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

8. The development hereby permitted shall be carried out in full accordance with the recommendations, mitigation measures, and enhancement measures detailed within the Preliminary Ecological Appraisal (November 2021) and Biodiversity Net Gain Plan (May 2022) by Western Ecology and shown on the Mitigation Plan (ref. SPP07-F).

REASON: To mitigate against the loss of existing biodiversity and nature habitats and secure enhancements.

9. 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.

10. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- a. Description and evaluation of features to be managed;
 - b. Landscape and ecological trends and constraints on site that might influence management;
 - c. Aims and objectives of management;
 - d. Appropriate management options for achieving aims and objectives;
 - e. Prescriptions for management actions;
 - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 25 year period);
 - g. Details of the body or organisation responsible for implementation of the plan;
 - h. Ongoing monitoring and remedial measures;
 - i. Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, and to ensure successful establishment and management of new mitigation planting proposals and the appropriate future management of retained hedgerows and woodland areas necessary to maintain a satisfactory landscape screening function for the life of the development.

11. The noise attenuation scheme detailed in the Noise Assessment (27 June 2022) by Inacoustic and shown on drawing ref. CEL-STD-AF-731_AcousticFence shall be implemented prior to the date electricity is first stored or distributed to/from the Grid and thereafter for the lifetime of the development.

Reason: To protect local amenity from adverse effects of noise.

12. A post installation noise assessment shall be carried out within 3 months the date electricity is first stored or distributed to/from the Grid or full completion of the development, whichever is the sooner to confirm compliance with the submitted Noise Assessment (27 June 2022) by Inacoustic and submitted to the Local Planning Authority for approval in writing. Any additional steps required to achieve compliance shall thereafter be taken in accordance with a timetable to be agreed with the Local Planning Authority. The details as submitted and approved shall be implemented thereafter for the lifetime of the development.

Reason: To protect local amenity from adverse effects of noise.

13. Notwithstanding the details shown on the approved plan, 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 E2 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.

14. 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 (which should avoid Cricklade)
 - 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.

15. No development shall commence until a pre-construction highway photographic survey to be carried out for a length of 150m north and 150m south of the access to the proposal site 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: To secure a scheme for the repair of the public highway following completion of substantive construction works

16. The development hereby permitted shall not store or distribute electricity to/from the Grid until the first 10m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter for the lifetime of the development.

REASON: In the interests of highway safety

17. Notwithstanding the contents of the Flood Risk Assessment (June 2022) by awp, no development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / gravel areas), incorporating sustainable drainage details together with permeability test results to BRE365 and showing in improvement in discharge rate from the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not store or distribute electricity to/from the Grid 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:-

- Any buildings FFL should be set 150mm above the 100yr + cc flood level.
- The surface water drainage strategy should demonstrate that:
 - The 1 in 30 year rainfall event is contained within the drainage system without causing flooding to any part of the site.
 - The 1 in 100 year plus climate change rainfall event does not cause flooding to any building (including a basement) or utility plant
 - The site has been designed to ensure that flows in excess of the 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property

18. 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

The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

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).