

**22/00045/FUL
MAJOR**

Mr James Stone

**LOWER PENN
Cllr Reade, Cllr Bond &
Cllr Kinsey**

Field At (Penn 2) Penstone Lane Lower Penn

Proposed battery energy storage facility, new compound, with associated infrastructure, fencing, access road, drainage and landscaping (amended description)

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application site is a 1.9ha area of agricultural land located within the Green Belt. Overhead power lines associated with the existing 4.3ha electricity substation to the northwest, pass over the site from north to south. A tree belt forms the northern boundary of the site with the existing substation beyond.

1.1.2 The area immediately to the south and east is open agricultural land, with a single dwelling and Blackpit Lane which is a sunken single-track road beyond. Further to the east is the Staffordshire Railway Walk. There is no existing formal vehicular access to the site. The Staffordshire and Worcestershire Canal, lies approximately 120m to the west of the site boundary.

1.2 Planning History

1.2.1 An application for an Emergency Standby Electricity Generation Facility was approved in 2018 on the same site. The site measured 0.9ha and contained 10 generator units measuring 15m in length, 3m in width and 4.9m in height and enclosed by 4m high acoustic fencing and 3m landscaping buffer as screening. The permission has not been implemented and has therefore lapsed.

1.2.2 Other recent applications:

2015, Erection of combined hard flood defence and perimeter fence to a height of 3.4m and erection of 3.4m high flood gate to the west and south and raised kerb, Approved [15/00666/LUP].

2016, Emergency standby electricity generation facility comprising: modern modular dual fuel generator units (up to 14 in total), transformers, fuel storage tanks, boundary treatment, highway access and associated works. Approved [16/00663/FUL]

2017, Emergency standby electricity generation facility comprising: natural gas generator units (up to 10 in total), transformers, boundary treatment including acoustic screening, access improvements and associated works, approved [17/00854/FUL]

2018, Emergency standby electricity generation facility comprising: natural gas generator units (up to 10 in total), transformers, boundary treatment including acoustic screening, access improvements and associated works, approved [18/00674/FUL]

2022, Proposed battery energy storage facility, new compound, with associated infrastructure, fencing, access road, drainage and landscaping (amended description), awaiting determination, [22/00044/FUL]

1.2.3 It is noted that a similar proposal located approximately 2.3km northeast of the site has recently been allowed on appeal. The Appeal decision can be found on the council's website under planning application ref 21/00440/FUL.

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 Planning permission is sought for the installation of a 50-megawatt battery-based electricity storage scheme. The purpose of which is to support the operation of the National Grid 'Balancing Service' which balances the supply and demand of energy to ensure the security and quality of the electricity supply across its transmission system.

2.1.2 An amended Site Layout Plan (ref EPC-339-C-LA-PENN02) and Landscape Mitigation Strategy (ref 211111.103 Rev F) have been submitted during the course of the application. The proposed infrastructure and planting have been moved further away from a gas pipeline to meet Cadent Gas requirements.

2.1.3 As shown on the submitted plans the proposal consist of:

- Battery storage compound containing battery units and Power Control System (PCS) units enclosed by a 3m high closed board fence.
- Substation compound containing transformer, disconnectors, circuit breakers and associated infrastructure enclosed by 2.4m palisade fencing.
- Distribution Network Operator (DNO) control room and customer switch room & control buildings.
- An access track from Penstone Lane.
- Hedge, scrub and wildflower planting.

2.1.4 The battery storage compound would measure 60m x 65m and contain 16 battery units with PCS units in-between. The battery units would measure 3m in height and the PCS units 2.25m in height from the ground level. The compound would be enclosed by 3m high closed board fencing and native hedgerows, tree planting and low scrub/shrub planting. A swale is proposed to the west of the battery compound.

2.1.5 The proposed substation compound would be located to the northeast of the battery compound separated by a proposed wildflower sward and scrub/scrub planting with existing power lines above and pylons immediately to the south and north. The substation compound would cover a 20m x 50m area enclosed by a 2.4m palisade fence and hedge planting. The structures within the compound range in height from 4m to a maximum of 6.4m. A Distribution Network Operator (DNO) control building would be located adjacent to the north east of the substation compound and a customer switchroom and control building to the northeast corner of the compound.

2.1.6 A landscape scheme has been proposed (Plan ref 211111.102 REV F Landscape Mitigation Strategy) which shows a proposed 1.5m wide hedgerow enclosing the site to the south with the existing trees hedgerow enclosing the site to the north. Areas of low scrub and shrub planting and wildflower sward are also proposed. The application proposes that a

management plan for landscaping would be agreed with the local planning authority via condition.

2.1.7 Vehicular access to the site would be from Penstone Lane to the northeast creating a new access and 4.5m wide track of crushed stone to the site. During construction (including 22/00044/FUL) there would be approximately 346 HGV vehicles (692 two-way movements) accessing the site over a three-to-five-month period. Overall trip generation would equate to an average of circa 8-12 two-way vehicle trips per day over a 5-day week. It is proposed to route construction traffic to and from the northwest, i.e., past the substation access. Beyond the substation access, site traffic would need to turn west onto Dimmingsdale Road and right at the junction of Dimmingsdale Road and Langley Road. The application proposes that a Construction Traffic Management Plan (CTMP) would be prepared and agreed with the local highway authority prior to any works commencing on site.

2.1.8 The proposed battery storage facility would be a largely automated system once in operation. Two visits a week would be undertaken by staff in light goods vehicles to maintain and service the facility including the replacement of battery components—equivalent to four two-way vehicle trips per week. Operational traffic might also include occasional HGV access to replace battery components.

2.2 Planning Agent submission

2.2.1 The applicant has submitted the following documents with the application:

- Sequential Site Selection Report (received 19.01.2022)
- Fire System Safety Design (received 19.01.2022)
- Battery Safety Management Plan (dated 01.04.2022)
- Supporting Planning Statement (dated 06.09.2021)
- Planning Statement Addendum (dated 06.09.2021)
- Supporting Policy Statement (11.04.2022)
- Design and Access Statement (dated 06.09.2021)
- Preliminary Ecology Appraisal (dated 06.2021)
- Biodiversity Metric (dated 03.08.2021)
- Landscape and Visual Appraisal V6 (dated 03.09.2021)
- Verified Photomontage (dated 05.2022)
- Transport Statement (dated 21.07.2021)
- Statement of Community Involvement (dated 02.09.2021)
- Flood Risk Assessment (dated 09.2021)
- Historic Environment Desk Based Assessment (dated 09.2021)
- Noise Impact Assessment & Appendices A-D (dated 28.07.2021)

3. POLICY CONTEXT

3.1. The application site is located within the West Midlands Green Belt.

3.2 South Staffordshire Core Strategy (2012)

GB1 - Development in the Green Belt

Core Policy 2 - Protecting and Enhancing the Natural and Historic Environment

EQ3 - Conservation, Preservation and Protection of Heritage Assets

EQ4 - Protecting and Enhancing the Character and Appearance of the Landscape

Core Policy 3: Sustainable Development and Climate Change

EQ5 - Sustainable Resources and Energy Efficiency

EQ6 - Renewables Energy
EQ9 - Protecting Residential Amenity
EQ10 - Hazardous and Environmentally Sensitive Development
EQ11 - Wider Design Considerations
EQ12 - Landscaping
EV8 - Agriculture
Core Policy 11 - Sustainable Transport
EV12 - Parking Provision
CS1: Designing Out Crime
Green Belt and Open Countryside SPD, 2014
South Staffordshire Design Guide SPD 2018
Sustainable Development SPD 2018

3.4 National Planning Policy Framework

12. Achieving well-designed places.
13. Protecting Green Belt Land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and Enhancing the Natural Environment

3.5 National Policy Statement for Energy (EN - 1) (July 2011)

- Para 1.1.1 - Role of this NPS in the planning system
Para 2.2.5 - The transition to a low carbon economy
Para 2.2.20 - Security of energy supplies
Para 3.3.29 - Reducing demand
Para 3.3.11/12 - The need for more electricity capacity to support an increased supply from renewables
Para 3.3.31 - More intelligent use of electricity

3.6 Draft National Policy Statement for Energy (EN - 1) (September 2021)

- Para 3.3.24 - 3.3.29 - The role of storage

3.7 National Planning Policy Guidance

3.7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

3.7.2 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

4. CONSULTATION RESPONSES

Local Ward Members (received 08/04/2022) Summary:

- *The application poses a threat to the openness of the Green Belt, character of the area, to local wildlife.*
- *concerned about the nature of construction traffic and route used – a thorough Traffic Management Plan would have to be in place*

- *The site retains water and flooding as a factor must also be taken into consideration.*
- *consistent noise may be audible to nearby residents at all hours and from public footpaths. Modelling on the likely spread of such noise needs to be carefully examined with safeguards in place.*
- *Concerned by the cumulative impact of both applications.*
- *The applicant, regardless of the success of any application, must go further in demonstrating the safety of these sites, both in terms of fire risk, toxicity from any such potential incidents (given the nature of the contents of these batteries) and noise pollution.*
- *The two proposed sites fall very close to the canal and South Staffordshire Railway Walk, and particularly with the pervasiveness of even low-level noise, these valuable assets need to be safeguarded from disruption.*
- *Questions regarding the capacity of these units i.e. how long will the unit provide power for a community of what size and whether we will be under or over providing capacity or where it will be needed.*
- *it is currently not possible to ascertain how many of these sites are necessary nationally, or how many should be acceptable in close proximity...until there is sufficient steer from Government it is hard to see how a case for special circumstances can be made.*

Lower Penn Parish Council (14.03.2022) Summary:

- *cannot see there are any very special circumstances that would outweigh the inappropriate development in the green belt and the impact on the openness of the greenbelt on GB1 land.*
- *consideration must surely be given to how all of these developments will detrimentally impact the lives of residents and wildlife in the area if they were all to be allowed*
- *Impact of site traffic that will be required during the construction phase and then maintenance of the facility of potentially 3 sites in Lower Penn will be harmful in terms of pollution, noise and unsuitable traffic on our country lanes.*
- *The local road network is unsuitable for industrial traffic. The access from the north of the site will mean using a weight restricted road of 7.5 tonnes*
- *Access to the site is problematic with the entrance of the access road off a single track lane with a limited footpath on one side of the road and residents' homes opposite the entrance. Have alternative access been considered sharing national grid road access.*
- *The junction of Penstone Lane, Orton Lane, and Dene Road is a traffic accident hotspot.*
- *Noise pollution from the battery plant may affect both nearby residents and the public using the popular South Staffordshire Railway Walk and Worcestershire and Staffordshire canal,*
- *There will also be a negative environmental impact on resident wildlife in the area with loss of habitat.*
- *The Penstone lane area varies from a high to medium risk flood zone and is therefore unsuitable for development and may also be of limited use in case of fire emergency on site. Alternative access points for emergency vehicles would also be unsuitable as the area is bordered by fields and a canal.*
- *Concerns over the lack of any Government legislation or guidance regarding the development, upkeep and dismantling (disposal) of these sites. Also the lack of legislation regarding the safety aspect of a potentially combustible material being housed in close proximity to a residential area.*

Staffordshire County Highways (received 10.03.2022) *There are no objections on Highway grounds to this proposal subject to conditions:*

1. *The development hereby permitted shall not commence until the access to the site within the limits of the public highway has been completed.*
2. *The development hereby permitted shall not be commenced until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 20.0m back from the site boundary.*
3. *The development hereby permitted shall not be commenced until the access drive, parking, servicing and Turning areas have been provided in accordance with the approved plans.*
4. *The development hereby permitted shall not be commenced until an off-site traffic management Scheme comprising of;*
 - *Means of safe passage of all construction traffic to the site.*
 - *adequate signage.*
 - *Means of preventing deleterious material from being deposited upon the highway.**has been submitted to and approved in writing by the Local Planning Authority. The approved traffic management scheme shall thereafter be implemented prior to any works commencing on site.*

County Ecologist (received 22.03.2022) No objection. If minded to approve, conditions are recommended:

- 1 *Prior to occupation, a lighting design strategy for biodiversity for shall be submitted to and approved in writing by the local planning authority. The strategy shall:*
 - a) *identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance along routes used to access key areas of their territory, for example, for foraging; and*
 - b) *show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.**All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.*
- 2 *Prior to commencement of any site works, submission for approval of Construction Environmental Management Plan with ecology sections to include: Construction phase lighting, Reasonable Avoidance Measures Method Statements for Reptiles and amphibia, nesting birds, badgers and hedgehogs.*
- 3 *Prior to commencement of any site works, submission of a pre-commencement badger survey.*
- 4 *Tree protection measures for retained trees and hedges.*
- 5 *No tree to be removed without a bat roost assessment which must be submitted for approval.*
- 6 *Prior to operation of the site, details to be submitted of the type and location of 3 number bird boxes and 3 number bat boxes to be installed on retained trees.*

Conservation and Design Officer (received 07.06.2022) *Looking at the additional information, it is my opinion that whilst there are additional structures proposed within the setting of the conservation area, these will be viewed in the context of the other electrical equipment. Therefore, whilst the proposals will alter the setting, they are not considered to cause additional harm.*

County Archaeologist (received 15.03.2022) *I am satisfied that the HEDBA has suitably evaluated the archaeological potential (as per par 194 of the NPPF 2021) and assessed the impact of the proposals on the archaeological resource, and that no further archaeological evaluation, recording or mitigation works will be required. With this in mind, an archaeological condition of consent would not be appropriate in this instance.*

Staffordshire Fire and Rescue (received 05.03.2022) *No objection.*

FIRE MAINS, HYDRANTS AND VEHICLE ACCESS - Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section 15 and 16.

I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg.

AUTOMATIC WATER SUPPRESSION SYSTEMS (SPRINKLERS) - I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers. Staffordshire Fire & Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package.

Crime Prevention Officer (received 15.03.2022) *The response highlights guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development.*

Environmental Health (received 19.05.2022) *I can recommend approval of the application subject to conditions:*

- 1. A proactive maintenance schedule for all aspects of the operational plant and equipment shall be provided, in accordance with the manufacturer's instructions. This schedule shall be followed throughout the lifetime of the plant and equipment to ensure the efficient operation of the plant, and records of relevant maintenance kept for inspection if requested. The reason for this condition is to ensure efficient operations, so that requirement for cooling fans is minimised and the potential for noise arising from wear and tear of any consumable items is minimised.*
- 2. The noise level from the operation of the battery storage plant and associated plant and machinery between the hours 07:00 and 23:00 shall not exceed 39dB L(A)eq 1-hour as measured 1m from the boundary of nearest residential receptors. This condition is set to protect the amenity of neighbouring residents so they can use their gardens and homes without undue disturbance from any noise associated with the operations, plant and equipment.*
- 3. The noise level from the operation of the battery storage plant and associated plant and machinery between the hours 23:00 and 07:00 shall not exceed 35dB L(A)eq 15-minute as measured 1m from the boundary of nearest residential receptors. This condition is set to protect neighbouring residents from undue disturbance from any noise associated with the operations, plant and equipment during the night time period.*
- 4. Prior to the commencement of the development the applicant shall install acoustic mitigation, designed specifically to mitigate the frequencies emitted by the plant and equipment. The proposed solution is to be approved by SSDC prior to installation and, once installed, to be maintained for the life of the development.*
- 5. Operational hours of any demolition and construction activity, including vehicle movements to and from the site, are restricted to 0800 to 1800 Monday to Friday and 0800 to 1300 Saturday, and at no time on Sundays or Bank and Public Holidays.*

6. *Mitigation for dust arising from construction activities shall be provided as necessary to prevent dust being emitted across the site boundary during dry periods.*

County Flood Risk Management Team (received 12.04.2022) *No objection subject to a number of conditions to reduce the risk of surface water flooding to the development and properties downstream of the development during construction and for the lifetime of the development.*

Condition 1:

No development shall take place until a fully detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme to be submitted shall demonstrate:

- *Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), (DEFRA, March 2015).*
 - *Sustainable Drainage Systems designed and implemented in full concordance with the Staffordshire County Council (SCC), SuDS Handbook.*
 - *Provision of evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations. Satisfactory evidence of fully compliant infiltration testing in full accordance with BRE 365 best practice guidance, in order to confirm or not as to the viability of infiltration as a means of surface water discharge.*
 - *SuDS designed to provide satisfactory water quality treatment, in accordance with the CIRA C753 SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.*
 - *Limiting any off-site conveyance of surface water discharge from the site to the rate generated by all equivalent rainfall events up to 100 year plus (40%) climate change in accordance with the guidance in the SCC SuDS Handbook. Provision of appropriate surface water runoff attenuation storage to manage all surface water discharge on site.*
- Detailed design (plans, network details and full hydraulic modelling calculations), in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements. Calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and storm durations, to include, as a minimum, the 1:1 year, 1:2 year, 1:30 year, 1:100 year and the 1:100-year plus (40%) climate change return periods.*
- *Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Finished floor levels to be set higher than ground levels to mitigate the risk from exceedance flows.*
 - *Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained for the lifetime of the development. To include the name and contact details of the party(/ies) or body(/ies) responsible.*

The development shall thereafter proceed in accordance with the approved details.

Reason

To reduce the risk of surface water flooding to the development and properties downstream of the development for the lifetime of the development.

Condition 2

The applicant and developer are to ensure that adequate and satisfactory provision for the management and control of surface water are in place as part of any temporary works associate with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy and flood risk assessment.

Reason

To reduce the risk of surface water flooding to the development and surrounding properties during construction.

Natural England (received 14.03.2022) *Natural England has no comments to make on this application.*

Western Power Distribution (received 11.03.2022) *Western Power Distribution (WPD) has Extra High Voltage (EHV) (132kV) network installed on this site. WPD MUST be contacted in all instances for safety guidance, proximity clearances and clear working methodologies related to locating equipment and safe working practices prior to any physical (or survey) works at this site.*

Great Crested Newt Officer (received 15.03.2022) *I am satisfied with this ecological report, and that if this development was to be approved, it is unlikely to cause an impact on great crested newts and/or their habitats.*

Severn Trent Water (received 19.08.2022) *No objection subject to conditions including use of pollution capture membranes beneath infiltration swales, filter drains and battery storage/transformer compounds.*

Cadent Gas (received 08.08.2022)

We have no objection to your proposal from a planning perspective. (Informative attached)

Health and Safety Executive (05.04.2022) *Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.*

Public representations

A total of 55 representations have been received objecting to the proposals.

Summary of main points/concerns raised:

Green Belt and impact on character

- *Inappropriate development on Green Belt land with harm not clearly outweighed by very special circumstances*
- *A brown field site close to a substation should be preferred.*
- *Lack of defensible boundary to site undermines the Green Belt.*
- *the site will be very obvious from the Canal Conservation Area and the Scheduled Monument and not at all in keeping with their historic character*
- *alter the character of beautiful Greenbelt*

Access/traffic

- *would cause congestion during the construction & operational phases of the site with risk to local residents*
- *Notorious blackspot on the approach from Orton Lane with many vehicles misjudging the bend and flipping into the farmers field on the end of Dene Road / Penstone Lane.*
- *Local roads are in a poor condition and unsuitable for HGVs*
- *Construction phase will cause disruption and noise that is not acceptable*
- *Further traffic would endanger drivers, horses and their riders, cyclists and pedestrians*
- *based on a limited survey of traffic during the coronavirus pandemic leading to inconclusive findings.*
- *Access should be through the existing National Grid Substation.*

Ecology

- *Noise and light pollution will harm protected species.*
- *would cause harm to the Greenbelt and the natural habitats of the residing animals & birds of which some are protected species.*
- *Proximity to badger sett*
- *Loss of hedgerows*
- *ecological damage due to mining for materials so that overall, the claims made for the “green” credentials of batteries cannot be sustained.*

Health, safety, pollution

- *Concerns regarding leakage of pollutants to water supply (500m from a Severn Trent Borehole), Local Nature Reserve, canal and nearby stream.*
- *Lithium batteries are inherently unstable, prone to quick ignitions and violent explosions.*
- *Safety measures are never full proof*
- *If mixed with water in event of fire , presenting a severe airborne danger to local residents and damage to the environment and local wildlife.*
- *very concerned not only regarding the quantum of noise but that there is potential for that noise to be at any time, day or night.*
- *Concern over the age of batteries if second life batteries are used.*
- *Battery storage facilities are prone to fires and explosions. Highlighting of a battery fire in Merseyside, and others in USA, China, S Korea and Australia.*
- *High level of fire control in this facility would be required. The proposed UL9540A system is just not adequate.*
- *Access for fire engines is inadequate.*
- *fails to cover the need for foul water disposal at all.*
- *the fact that this market is not fully regulated greatly increases the risk*

Other

- *Loss of visual amenity from nearby residential dwelling.*
- *Loss of green space*
- *Question whether battery energy storage is a green option considering the full life cycle of the batteries.*
- *Detrimental impact on the enjoyment of public rights of way such as the Railway Walk and canal footpath.*
- *the batteries contain a variety of highly volatile and toxic materials. That this is so can clearly be inferred from the fact that they are classified as Class 9 hazardous materials for which strict rules apply.*
- *Several areas of this site have flooding problems*
- *Concerned that the CCTV monitoring breaches privacy*
- *The planning application and subsequent documents submitted by Anglo Renewables Ltd contain inaccuracies and information that is misleading*
- *Concerns regarding what happens in the event the venture fails, who would remove the redundant batteries?*

A site notice was displayed on 03.03.2022 and a press notice published on 01.03.2022.

5. APPRAISAL

5.1 The application is referred to planning committee as it is not listed as an acceptable type of development within the Green Belt under Core Strategy Policy GB1: Development in the Green Belt.

5.2 Key Issues

- Principle of the development
- Design/layout and impact upon landscape character and heritage assets
- Impact on the Highway and Access
- Ecology, trees, and landscaping
- Drainage and flooding
- Impact on Neighbouring amenity/Noise and Health

5.3 Principle of the development

5.3.1 The application site is within the West Midlands Green Belt. The main issue in establishing the principle of the development are firstly, whether or not the proposal constitutes inappropriate development in the Green Belt for the purposes of Core Strategy policy GB1 and the National Planning Policy Framework (NPPF); secondly, if the development is deemed inappropriate, whether the harm by reason of inappropriateness, and any other identified harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

5.3.2 Whether or not the proposal constitutes inappropriate development.

5.3.3 Paragraph 147 of the NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Paragraph 149 states, 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. However, there are exceptions to this as set out within Paragraphs 149 & 150 of the NPPF. Core Strategy Policy GB1 also sets out what may be acceptable development within the Green Belt.

5.3.4 The erection of a battery based electrical storage facility including associated substation does not fall within any of the exceptions listed in local or national policy and is therefore considered to be inappropriate development. The applicant does not contest this conclusion.

5.3.5 The Green Belt serves five purposes as defined in the NPPF. They are:

- a) to check the unrestricted sprawl of large built-up areas,
- b) to prevent neighbouring towns from merging into one another,
- c) to assist in safeguarding the countryside from encroachment,
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.3.6 There is no conflict with a), b) or d).

5.3.7 Purpose (e) encourages urban regeneration and the recycling of derelict land. The land is not derelict land and is located in a rural location outside of existing urban development boundaries.

5.3.8 Regarding purpose (c), this proposal would develop the site which is in the countryside which conflicts with the purpose of safeguarding the countryside from encroachment. There

are exceptions, as listed under paragraphs 149 and 150, but the type of development proposed here is not listed.

5.3.9 The proposal therefore causes definitional harm being 'inappropriate development' which is given substantial weight.

5.3.10 Paragraph 137 of the NPPF states that, 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

5.3.11 The NPPG (22 July 2019) provides guidance on matters which may need to be taken into account in assessing the impact on the openness of the Green Belt. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

(Paragraph: 001 Reference ID: 64-001-20190722 Revision date: 22 07 2019)

5.3.12 The site is an area of agricultural land which slopes slightly to the north. There is no previously developed land within the site. The proposed developed part of the site would comprise a square shaped battery storage compound enclosed by 3m high closed board fencing. The battery units within would measure up to 3m in height. An associated substation is proposed measuring with the structures a maximum of 6.4m in height enclosed by a 2.4m palisade fence. Two control buildings would be located adjacent to the compound. An access track is proposed from Penstone Lane to the site, constructed of crushed stone.

5.3.13 Spatially the proposal reduces the openness of the Green Belt, as an area of undeveloped land would become developed, as described above. If the site is no longer needed it would be relatively straightforward to remediate the land to its existing state. The application states that the proposed development is for a period of 35 years which, whilst not permanent, is a considerable amount of time. Nevertheless, its removal and remediation of the site could be included as a condition to ensure it does not become a permanent feature in the landscape.

5.3.14 In the short term the proposed fencing and some of infrastructure within the substation compound would initially be visible from Union Lane where the bridge crosses the canal and further to the east through a gap in the hedge along Blackpit Lane. Views would be limited from Blackpit Lane as it is slightly below the level of the fields in which the site is located. There would be no views of the development from Penstone Lane with the existing substation and trees and hedgerows located in between. There would be views of the site from the South Staffordshire Railway Walk although there are limited gaps in the vegetation along the path to see through to the site.

5.3.15 In the medium- and long-term views of the development would be limited by the proposed tree and hedgerow planting. This would largely screen views of the proposed battery unit compound. The most visible element would be parts of the substation infrastructure which would extend above the planting. However, similar structures of a greater height and visibility are already visible from the existing substation to the rear of the site. Against this backdrop, the proposed development would, in my view, be seen in this context and therefore the visual impact would be limited in the medium to longer term once

the proposed landscape mitigation is established. This is confirmed by the submitted photomontage which shows how the development would be seen from potentially sensitive locations.

5.3.16 Regarding the level of activity likely to be generated, the construction period would generate a reasonable level of traffic activity including large HGV vehicles accessing the site which would impact visually through onsite activity and use of the proposed temporary access from Penstone Lane. However, as this activity would be temporary for 3-5 months the impact on the openness and permanence of the green belt would be minimal on a longer timeframe.

5.3.17 Overall, it is considered that in addition to the definitional harm already identified, there would also be a degree of harm arising from the loss of openness which would reduce as the proposed planting became established, and also from being contrary to one of the purposes of including land within the Green Belt, which is encroachment of development into the countryside.

5.4 Other Considerations

5.4.1 The proposed scheme is designed to store 50MW within the batteries and would be able to release or absorb energy from the power network.

5.4.2 One of the key commitments in the governments' National Policy Statement (NPS) for Energy (2011 and draft 2021) and Energy White Paper 2020 is to create an efficient electricity market which needs to adapt as the deployment of renewable generation increases. Balancing supply and demand becomes more complex because most renewables are, by their nature, intermittent and generate electricity only when the wind blows or the sun shines. The Energy White Paper states that 'increasingly, flexibility will come from new, cleaner sources, such as energy storage in batteries...Storing excess low-carbon generation over longer periods of time could enable us to decarbonise the energy system more deeply at lower costs' (page 33).

5.4.3 Paragraph 3.3.24 of the draft Energy NPS states, 'Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated. There is currently around 4GW of electricity storage operational in GB, around 3GW of which is pumped hydro storage and around 1GW is battery storage'.

5.4.4 Paragraph 3.3.25 of the draft Energy NPS states, 'Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases'

5.4.5 The provision of low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the National Planning Policy Framework (NPPF Para 8 and 152). The policy support for renewable energy and associated development given in the NPPF is caveated by the need for the impacts to be

acceptable, or capable of being made so. Nevertheless, the energy storage benefit of the proposal as part of the wider national strategy of decarbonising the country's energy system must be accorded substantial weight.

5.4.6 Public objections have been received questioning why the proposal cannot be located on a brownfield site and therefore avoiding any harm to the Green Belt. However, brownfield land is more often than not found in urban residential areas and is usually prioritised for other forms of development, notably residential and employment development. A site would need to be found that in close proximity to an available grid connection, with a large site area, connection to suitable substation, close to primary highway network, sufficient distance from residential areas to meet noise requirements and also avoiding areas of statutory protection, ecological importance and flood risk. This is set out in the submitted Sequential Site Selection Process document. There is no requirement for such proposals to undertake a sequential test. However, I am satisfied that the site chosen, adjacent to an existing substation, is appropriate and brownfield sites are unlikely to be suitable or available for such a use.

5.4.7 In summary, the proposal is inappropriate development and there would also be a moderate degree of harm arising from the loss of openness and from being contrary to one of the purposes of including land within the Green Belt. This would be limited once the construction of the site is complete and the proposed planting is established. Nevertheless, this harm by reason of inappropriateness and harm to openness is given substantial weight in accordance with Paragraph 148 of the Framework.

5.4.8 Paragraph 151 of the Framework accepts that very special circumstances will need to be demonstrated if developments are to proceed in the Green Belt. It states that very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. The proposed scheme would make a valuable contribution to cutting greenhouse gas emissions, by increasing the opportunity to store energy, and this also attracts substantial weight.

5.4.9 National policy advises that developments should be located where impacts are, or can be made, acceptable. I consider that the location of the proposed development, adjacent to an existing substation, together with the existing and proposed landscaping means that this would be the case here. Additionally, whilst the proposed development would be located at the site for a number of years, it is reversible and capable of being removed from the site. The remediation of the site in the event of the use ceasing should be included as a condition.

5.4.10 Therefore, I consider that the significance of such projects in supporting the government's national strategy of decarbonising the country's energy system, and the fact that the impacts can be made acceptable, are sufficient to outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the proposal do exist and the scheme would not conflict with the Framework.

5.4.11 Concurrent with this application is planning application 22/00044/FUL which is a similar proposal to here and lying adjacent. The two proposals would be brought forward together and therefore it is necessary to consider the combined impacts of both applications as well as individually. The impacts of planning application 22/00044/FUL on Green Belt openness would be similar to here as described in the officer report for that application. When combined, I am of the view that the level of harm would increase but still be relatively limited in the medium to longer term due to the existing context of the site including the existing substation/pylon backdrop and also the proposed planting largely screening both

sites from external views in the medium to longer term. The benefits would also increase with 2 X 50MW of electricity storage supporting the governments national strategy of decarbonising the country's energy system. For this reason, I consider that implementing both proposals would not conflict with the Framework.

5.5 Design/layout and impact upon landscape character and heritage assets

5.5.1 Policy EQ4 and EQ12 state that the intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced.

5.5.2 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

5.5.3 Chapter 16 of the NPPF and Policy EQ3 of the adopted Core Strategy state that care and consideration must be taken to ensure no harm is caused to the character or appearance of a heritage asset. Heritage assets are buildings, sites, monuments, places, areas or landscapes identified as significant features in the historic environment.

5.5.4 The character of the landscape reflects its location within the countryside and also its proximity to the urban areas to the west and the industrial history of the wider area. Adjacent to the site is agricultural land and Penn Substation with electricity pylons and overhead cables on its eastern side. Staffordshire and Worcestershire Canal is located 120m to the west of the site and Staffordshire Railway walk to the east.

5.5.5 The site has a degree of enclosure from tree/vegetation cover located along field boundaries and the existing substation to the north. There are no prolonged views into the site, with views from the canal bridge and Union Lane and also views through vegetation from Staffordshire Railway Walk. By reason of separation distance, design and existing vegetation the proposed development would not have an adverse effect on the visual amenity and would in time be screened by planting to replicate field boundary hedgerows. The remaining visible infrastructure would, in my view, be limited and unassuming in the context of the existing substation infrastructure visible to the rear and surrounding electricity pylons and overhead powerlines.

5.5.6 There would be some harm to landscape character in the short term during the construction phase and prior to the proposed screening becoming established. However, this would be a temporary occurrence and in the medium to longer term the impact on landscape character would, in my view, not amount to a harmful impact.

5.5.7 The proposals are within the setting of the Staffordshire and Worcestershire Canal Conservation Area including the bridge and lock which are Grade II Listed. An Historic Environment Desk-Based Assessment has been submitted which concludes that the Site provides a neutral contribution to the setting of the Conservation Area and would not result in harm to any designated heritage assets.

5.5.8 The council's conservation officer has commented that, 'It is my opinion that whilst there are additional structures proposed within the setting of the conservation area, these will be viewed in the context of the other electrical equipment. Therefore, whilst the proposals will alter the setting, they are not considered to cause additional harm'. I am therefore satisfied that the proposals would not harm to the significance of the designated

heritage assets in the vicinity of the Site, and are also in accordance with Core Strategy policy EQ3 - Conservation, Preservation and Protection of Heritage Assets.

5.5.8 As a result, I consider that the proposal would not harm the rural character and local distinctiveness of the area in accordance with Core Strategy Policies EQ3, EQ4 and EQ12, subject to conditions such as securing appropriate landscaping, boundary treatment and materials.

5.6 Impact on the Highway and Access

5.6.1 Section 9 of the NPPF requires LPAs to consider and promote sustainable forms of transport whilst addressing community needs and creating places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards. Local Plan policy CP11 and EV11 echo these themes.

5.6.2 Vehicular access to the site would be from Penstone Lane to the north creating a new access and 4.5m wide track of crushed stone to the site. The submitted Transport Statement assesses the cumulative traffic impact of this proposal and 22/00044/FUL as they would be constructed concurrently and utilise the same access. Therefore, during construction of both proposals there would be approximately 346 HGV vehicles (692 two-way movements) accessing the site over a three-to-five-month period. Overall trip generation would equate to an average of circa 8-12 two-way vehicle trips per day over a 5-day week. It is proposed to route construction traffic to and from the northwest, i.e., past the substation access. Beyond the substation access, site traffic would need to turn west onto Dimmingsdale Road and right at the junction of Dimmingsdale Road and Langley Road. A Construction Traffic Management Plan (CTMP) would be prepared and agreed with the local highway authority prior to any works commencing on site.

5.6.3 I acknowledge the objections to the proposal which include concerns that the proposals will cause traffic congestion, highway safety issues and disturbance during construction works. However, Staffordshire County Highways have considered the proposal and do not object, subject to a range of conditions ensuring highway safety and minimising disturbance during construction.

5.6.4 In conclusion, I consider that the proposals (and in combination with 22/00044/FUL) would be acceptable with regard to highways and access impacts subject to the Highways Authority conditions being attached to any permission.

5.7 Ecology, trees, and landscaping

5.7.1 South Staffordshire Council Core Strategy policy EQ1: Protecting, Enhancing and Expanding Natural Assets states that permission will be granted for development that would not cause significant harm to species that are protected or under threat and that wherever possible, development proposals should build in biodiversity by incorporating ecologically sensitive design and features for biodiversity within the development scheme.

5.7.2 Policy EQ4 Protecting and Enhancing the Character and Appearance of the Landscape of the adopted Core Strategy states (in part): 'The intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. Trees, veteran trees, woodland, ancient woodland and hedgerows

should be protected from damage and retained unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved'.

5.7.3 Policy EQ11 states that 'design should seek to retain existing important species and habitats and maximise opportunities for habitat enhancement, creation and management in accordance with Policy EQ1'.

5.7.4 The area of the site proposed for development comprises working arable land which is of low ecological value. To create access to the site, a short section of hedgerow would be removed to access Penstone Lane. Public representations raise concerns that the proposals would harm the environment. However, the scheme proposes an area of tree planting, native hedge planting, a wildflower sward and low scrub/shrub planting. The submitted biodiversity metric spreadsheet demonstrates that this would result in substantial net gain in biodiversity. The Council's ecology officer has no objections to the proposals subject conditions requiring a lighting strategy, a Construction Environmental Management Plan (CEMP) to ensure that flora and fauna are protected during construction, tree/hedgerow protection measures, pre commencement badger survey, and installation of bird and bat boxes on nearby trees.

5.7.5 Public representations raise concerns that ecological damage is caused elsewhere due to mining for materials. This is a matter for the government's overall strategy for reducing use of fossil fuels. The resulting national policy position is clear that battery storage of electricity is a key part of the overall objective moving to a low carbon economy. The impact of the scheme on ecology is therefore assessed on a site impact basis as above.

5.7.6 In conclusion, the necessary protection methods, mitigation, and enhancement can be secured via conditions to ensure that the proposals are in accordance with Core Strategy Policies EQ1, EQ4, and EQ11.

5.8 Drainage and flooding

5.8.1 Policy EQ7 states that the Council will permit developments which do not have a negative impact upon water quality. All planning applications are expected to include a suitable Sustainable Drainage (SUDS) scheme.

5.8.2 Core Policy 3 of the Core Strategy states that 'the Council will require development to be designed to cater for the effects of climate change, making prudent use of natural resources, enabling opportunities for renewable energy and energy efficiency and helping to minimise any environmental impacts by...

- j) guiding development away from known areas of flood risk as identified in the Strategic Flood risk assessment, surface water management plan and consistent with the NPPF,
- k) ensuring the use of sustainable drainage (SUDS) in all new development and promoting the retrofitting of SUDS where possible,
- l) ensuring that all development includes pollution prevention

5.8.3 The planning practice guidance (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of users to safely access and exit during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

5.8.4 The main site is within Flood Zone 1 which has a low risk of flooding. A small part of the access track is within Flood Zones 2 and 3 of the Warstones Brook. The submitted Flood Risk Assessment suggests that a flood warning management strategy should be prepared so that all users of the site are aware of the potential flood risks and can act appropriately in the event of flooding impacting the site. Additionally, I consider that a similar strategy is prepared in consultation with the Staffordshire Fire and Rescue Service. These can be added as conditions to be agreed prior to the operation of the site.

5.8.5 The Lead Local Flood Authority does not object to the proposed development subject to planning conditions. This includes a fully detailed surface water drainage scheme to reduce the risk of surface water flooding to the development and properties downstream of the development for the lifetime of the development.

5.8.6 Severn Trent Water were consulted and sought further information around the risk posed to groundwater sites in the area in the event of a fire at the site whereby the fire suppression system failed, and the Fire Authority were required, and contaminated firefighting water could infiltrate the ground. I consider that such a scenario is unlikely, and I note that it would be unusual for an application to deal with the potential impacts from fire fighting activities. The proposals include a fire detection and suppression system. In addition, the scheme proposes oversized interception swales/filter drains at the most downgradient contours from the battery storage and transformer compounds which would capture any contaminated runoff from the site. The interception swales can attenuate approximately 200m³ across each site (totalling circa 400m³ of attenuation across the two sites). These interception features would capture contaminated water and include pollution capture membranes underneath. These would also be placed underneath the filter drains and battery storage/transformer compounds. Filtered water would then either infiltrate into the ground or be removed and appropriately disposed of by a management company with a quick response time. Following a fire/contamination event, the impacted areas of the site would be removed and replaced (i.e., dig out contaminated swales, gravel and membranes). Severn Trent support this approach.

5.8.7 Public representations raise concerns that water may drain into nearby watercourses to the west. However, the topography of the site slightly slopes north away from the river and canal and interceptor swales are proposed in-between as described above. Therefore, I consider that the likelihood of water draining from the development area into a watercourse is very low.

5.8.8 It is noted that The Sustainable Drainage Systems (SuDS) incorporated within the proposed drainage strategy have been selected with the CIRIA SuDS Manual Simple Index Approach.

5.8.9 As a result, I am satisfied that the application deals with flooding and drainage in accordance with Core Strategy Policy EQ7, subject to the conditions set out within the consultee responses.

5.9 Impact on Neighbouring amenity/Noise and Health

5.9.1 Core Strategy Policy EQ10 states that public, land uses and the natural environment will be protected from the actual or potential effects of hazardous or other activities likely to be detrimental to public health or amenity.

5.9.2 As set out within Policy EQ9 of the Core Strategy, new development should avoid harming the amenity of neighbouring properties and should not have any adverse impacts such as loss of privacy, loss of light or overlooking to neighbouring properties.

5.9.3 A number of objections have been received from the public raising concerns regarding the safety of the proposals and impacts on health and these have been given serious consideration whilst forming my recommendation. These include battery safety e.g., fire/explosion risk, contaminated materials and disposal of batteries being bad for the environment.

5.9.4 A Noise Impact Assessment has been submitted which shows that there would be a low impact on all receptors within the study area. The cumulative impact was also low with the exception of receptor 8 (residential property 'Arawak') which had a high impact. As a result, a 3.0m high acoustic grade fence has been proposed around the battery element of the Proposed Development to reduce the cumulative impact to low for all receptors. The levels at each receptor are below the Night Noise Guideline value of 40dB set out in the WHO Night-time Guidelines. This is the level recommended for the primary prevention of subclinical adverse health effects related to night noise in the population.

5.9.5 The Council's Environmental Health Officer has reviewed the application and has confirmed no objection subject to conditions relating to the control of noise, dust and working hours during construction and operation to safeguard the amenity of residents.

5.9.6 The concerns regarding fire/explosion risk are noted. The applicant has submitted a Battery Safety Management Plan setting out how the development would be managed from a fire safety risk mitigation perspective. The Council's Environmental Health Officer and Staffordshire Fire and Rescue Service have not raised any concerns in this regard. I am therefore satisfied with the approach to managing risk including the suggested conditions within the Battery Safety Management Plan which should be attached to any permission.

5.9.7 In conclusion, I consider that, subject to the above conditions, the proposal would protect public health/amenity in accordance with Core Strategy Policy EQ10.

6. CONCLUSIONS

6.1 The proposal is inappropriate development and the impact on openness would be moderate until proposed planting is established, reducing to a limited impact in the medium/longer term. This harm by reason of inappropriateness and harm to openness is given substantial weight.

6.2 National policy advises that developments should be located where impacts are, or can be made, acceptable. I consider that the location of the proposed development, adjacent to an existing substation, together with the existing and proposed landscaping means that this would be the case here. Additionally, whilst the proposed development would be located at the site for a number of years, it is reversible and capable of being removed from the site.

6.3 Therefore, I consider that the significance of such projects in supporting the government's national strategy of decarbonising the country's energy system, and the fact that the impacts can be made acceptable, are sufficient to outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the proposal do exist and the scheme would not conflict with Core Strategy Policy GB1 or the Framework.

6.4 Subject to various conditions, the proposal is in accordance with the relevant policies in the South Staffordshire Core Strategy 2012, and the relevant provisions of the NPPF 2021.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings and documents:

P1900-01G REV G LOCATION PLAN
16 Feb 2022

211111.103 REV F LANDSCAPE MITIGATION STRATEGY
EPC-339-C-LA-PENN02 SITE LAYOUT PLAN
EPC-339-C-LA-PENN1+2 SITE LAYOUT INCLUDING 22/00044/FUL
V6 LANDSCAPE AND VISUAL APPRAISAL
P1900-02D PROXIMITY OF PROPOSAL TO GAS PIPELINE
26 July 2022

EPC-0339-C-E-LA-AR ACCESS ROAD ELEVATION
EPC-0339-C-E-LA-BATT BATTERY UNIT PLAN AND ELEVATIONS
EPC-0339-C-E-LA-CCR CUSTOMER CONTROL ROOM ELEVATIONS
EPC-0339-C-E-LA-CCTV CCTV ELEVATION
EPC-0339-C-E-LA-DNO DNO CONTROL ROOM ELEVATIONS
EPC-0339-C-E-LA-ELV SUBSTATION 1 SITE LAYOUT OUTLINE ELEVATIONS
EPC-0339-C-E-LA-FG FENCE AND GATES ELEVATIONS
EPC-0339-C-E-LA-PCS PCS UNIT PLAN AND ELEVATIONS
19 January 2022

Fire System Safety Design (received 19.01.2022)
Battery Safety Management Plan (dated 01.04.2022)
Design and Access Statement (dated 06.09.2021)
Preliminary Ecology Appraisal (dated 06.2021)
Biodiversity Metric (dated 03.08.2021)
Landscape and Visual Appraisal V6 (dated 03.09.2021)
Transport Statement (dated 21.07.2021)
Flood Risk Assessment (dated 09.2021)
Noise Impact Assessment & Appendices A-D (dated 28.07.2021)

3. Before works above slab level, full details of facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.
4. Before the commencement of any construction related activity on site, an Arboricultural Method Statement, providing comprehensive details of all underground service/utility runs, ground protection measures, 'No-Dig' construction types, construction methods within the Root Protection Areas of retained trees and

a finalised Tree Protection Plan shall be submitted and approved in writing by the Local Planning Authority. Subsequently, all measures within the approved method statement and Tree Protection Plan shall be adhered to until all construction related activity has been completed.

5. The development hereby permitted shall not commence until the access to the site within the limits of the public highway has been completed.
6. The development hereby permitted shall not be commenced until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 20.0m back from the site boundary.
7. The development hereby permitted shall not be brought into use until the access drive, parking, servicing and turning areas have been provided in accordance with the approved plans.
8. The development hereby permitted shall not be commenced until an off-site traffic management scheme comprising of;
 - Means of safe passage of all construction traffic to the site.
 - adequate signage.
 - Means of preventing deleterious material from being deposited upon the highway.has been submitted to and approved in writing by the Local Planning Authority. The approved traffic management scheme shall thereafter be implemented prior to any works commencing on site.
9. Before any construction works hereby permitted are commenced, a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure net gain of the site's Biodiversity Value, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP/HMP document the following information shall be provided: Construction phase lighting, Reasonable Avoidance Measures, Method Statements for Reptiles and amphibians, nesting birds, badgers and hedgehogs, descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation; Details of both species composition and abundance where planting is to occur; Proposed management prescriptions for all habitats for a period of no less than 25 years; Assurances of achievability; Timetable of delivery for all habitats; and A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.
10. Prior to commencement of any site works, submission of a pre-commencement badger survey.
11. Prior to operation of the development the applicant shall install acoustic mitigation, designed specifically to mitigate the frequencies emitted by the plant and

equipment. The proposed solution is to be approved by the Local Planning Authority prior to installation and once installed, shall thereafter be maintained for the life of the development.

12. No development shall take place until a fully detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), (DEFRA, March 2015).
- Sustainable Drainage Systems designed and implemented in full concordance with the Staffordshire County Council (SCC), SuDS Handbook.
- Provision of evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations. Satisfactory evidence of fully compliant infiltration testing in full accordance with BRE 365 best practice guidance, in order to confirm or not as to the viability of infiltration as a means of surface water discharge.
- SuDs designed to provide satisfactory water quality treatment, in accordance with the CIRA C753 SuDS Manual Simple Index Approach and SuDs treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
- Limiting any off-site conveyance of surface water discharge from the site to the rate generated by all equivalent rainfall events up to 100 year plus (40%) climate change in accordance with the guidance in the SCC SuDs Handbook. Provision of appropriate surface water runoff attenuation storage to manage all surface water discharge on site.
- Detailed design (plans, network details and full hydraulic modelling calculations), in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements. Calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and storm durations, to include, as a minimum, the 1:1 year, 1:2 year, 1:30 year, 1:100 year and the 1:100-year plus (40%) climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Finished floor levels to be set higher than ground levels to mitigate the risk from exceedance flows.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained for the lifetime of the development. To include the name and contact details of the party(/ies) or body(/ies) responsible.

The development shall thereafter proceed in accordance with the approved details.

13. The applicant and developer are to ensure that adequate and satisfactory provision for the management and control of surface water are in place as part of any temporary works associate with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy and flood risk assessment.

14. Prior to occupation, a lighting design strategy for biodiversity for shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bat species and that are likely to cause disturbance along routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
15. Prior to operation of the site, details to be submitted of the type and location of 3 number bird boxes and 3 number bat boxes to be installed on retained trees.
16. Prior to operation, a proactive maintenance schedule for all aspects of the operational plant and equipment shall be provided, in accordance with the manufacturer's instructions. This schedule shall be followed throughout the lifetime of the plant and equipment to ensure the efficient operation of the plant, and records of relevant maintenance kept for inspection if requested. The reason for this condition is to ensure efficient operations, so that requirement for cooling fans is minimised and the potential for noise arising from wear and tear of any consumable items is minimised.
17. Prior to operation, a SuDS Operations and Maintenance Plan shall be submitted to and approved by the Local Planning Authority. This shall include installation of pollution capture membranes beneath the infiltration swales, filter drains and battery storage/transformer compounds. Following a fire/contamination event, the impacted areas of the site shall be removed and replaced (i.e., dig out contaminated swales, gravel and membranes).
18. The site shall be operated in accordance with the technical and safety information within the submitted Outline Battery Safety Management Plan. This shall include approaching Staffordshire Fire and Rescue Service to develop a Tactical Information Record for Lower Penn Battery Storage Facility 2; which will facilitate Fire and Rescue responders to the site with technical and tactical information about the site and best approaches in the event of a fire event. This shall be completed prior to the operation of the site.
19. Prior to operation of the development, a landscape scheme, detailing native species planting / seed mixes and how these will be managed via a Landscape Ecological Management Plan or similar, shall be submitted to the Local Planning Authority for approval. All measures within the approved landscaping / tree planting scheme, including aftercare provision, shall be implemented within 6 months of completion of construction related activity and maintained as specified. Any trees that die or become unsuitable for retention within 5 years of the initial planting date will be replaced on a like for like basis.

20. No tree shall be removed without a bat roost assessment, which must be submitted to the Local Planning Authority for approval.
21. The noise level from the operation of the battery storage plant and associated plant and machinery between the hours 07:00 and 23:00 shall not exceed 39dB L(A)_{eq} 1-hour as measured 1m from the boundary of nearest residential receptors. The noise level from the operation of the battery storage plant and associated plant and machinery between the hours 23:00 and 07:00 shall not exceed 35dB L(A)_{eq} 15-minute as measured 1m from the boundary of nearest residential receptors.
22. Operational hours of any demolition and construction activity, including vehicle movements to and from the site are restricted to 0800 to 1800 Monday to Friday and 0800 to 1300 Saturday, and at no time on Sundays or Bank and Public Holidays.
23. Mitigation for dust arising from construction activities shall be provided as necessary to prevent dust being emitted across the site boundary during dry periods.
24. The planning permission hereby granted is for a period of 35 years and 6 months after the date the development is first operational as an energy storage site, notice of which will be supplied in writing to the Local Planning Authority within 14 days. When the use shall cease and the batteries, transformer units, inverters, all associated structures and fencing approved and landscaping initially required to mitigate the landscape and visual impacts of the development shall be removed.

A Decommissioning Method Statement to be submitted and approved by the Local planning Authority at least 12 months prior to the expiry of the planning permission. The scheme shall include a programme of works to remove the batteries, transformer units, inverters, all associated structures and fencing. The developer shall notify the Local Planning Authority in writing no later than twenty working days following cessation of import/export electricity to the grid for energy storage use. The site shall subsequently be restored in accordance with the submitted scheme and timescale, to be within 12 months of cessation of use.

If the development ceases to import/export electricity to the grid and operate as an energy storage facility for a continuous period of 24 months, then a scheme shall be submitted to the Local Planning Authority for its written approval for the removal of the batteries, transformer units, inverters, all associated structures and fencing and the restoration of the site to agricultural use. The approved scheme of restoration shall then be fully implemented within 6 months of that written approval being given.

If within 12 months of completion of the development, no operational use has commenced the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site in accordance with Decommissioning Method Statement to be submitted and approved by the Local planning Authority.

If a permanent cessation of construction works occurs for a period of 6 months prior to completion and the battery facility coming into operational use, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site in accordance with Decommissioning Method Statement to be submitted and approved by the Local planning Authority.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
5. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
6. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
7. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
8. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
9. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
10. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
11. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
12. To reduce the risk of surface water flooding to the development and properties downstream of the development for the lifetime of the development.
13. To reduce the risk of surface water flooding to the development and surrounding properties during construction.
14. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
15. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
16. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
17. To avoid pollution of the water environment in accordance with policy EQ7 of the adopted Core Strategy.

18. To ensure that all safety concerns around the facility are addressed in so far as is reasonably practicable.
19. To safeguard the amenity of the area and build biodiversity into the development scheme in accordance with policy EQ11, EQ1 and EQ4 of the adopted Core Strategy.
20. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
21. To protect the amenity of neighbouring residents so they can use their gardens and homes without undue disturbance from any noise associated with the operations, plant and equipment in accordance with policy EQ9 of the adopted Core Strategy.
22. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
23. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
24. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2021.

INFORMATIVES

Highways Authority

The new access shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application Form. Please complete and send to the address indicated on the application Form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

Great Crested Newts

Please note that the application site is within a Green Impact Risk Zone for Great Crested Newts. Whilst the proposal is considered to be low risk, there is the possibility that those species may be encountered once work has commenced. The gaining of planning approval does not permit a developer to act in a manner which would otherwise result in a criminal offence to be caused. Where such species are encountered it is recommended the developer cease work and seek further advice (either from Natural England or NatureSpace) as to how to proceed.

Western Power Distribution

Western Power Distribution (WPD) has Extra High Voltage (EHV) (132kV) network installed on this site. WPD MUST be contacted in all instances for safety guidance, proximity clearances and clear working methodologies related to locating equipment and safe working practices prior to any physical (or survey) works at this site. Any alteration, building or ground works proposed within 50 meters of any network, apparatus or equipment that may or may not directly affect cables or conductors, must be notified in detail to Western Power Distribution. For further information contact - Western Power Distribution, Tipton Projects Team, Toll End Road, Tipton, West Midlands, DY4 0HH or via telephone on: Emergency contact number (West): 0330 123 5008 General Enquiries: 0845 724 0240. WPD accepts no responsibility for works undertaken by any party on this site without written prior consent from an authorised WPD employee (approval subject to submission of working method statements and compliance with network safety requirements. All attendees on this site are advised and encouraged to familiarise themselves with ENA GS6 (Avoidance of Danger from Overhead Lines) prior to taking site access.

When working in proximity to overhead lines, the minimum statutory clearances required, are shown in the table below for the voltage to which the line is designed. In order to allow for construction tolerances and compliance with HSE Note of Guidance, WPD strongly recommend that clearances are increased to the figures shown in the right hand column.

Description of Clearance	Minimum Clearance from 132kV Lines (Meters)	Recommended Clearances from 132kV Lines (Meters)
Line Conductors to Ground (other than a road)	6.7	7.0
Line Conductors to road surface (not a high load route or motorway)	6.7	7.3
Line Conductor to building or other structure	3.6	6.6
Line conductor to plant during construction	3.2*	-

*Any part of the barrier required by HSE GS6 which may be stood on must be at least 3.6m from the conductors.

The use of any plant that is capable of extending and infringing Clearance to the conductors must be strictly controlled. Any plant working beneath or immediately to the side of the conductors must not be capable of extending above 4m and must have the appropriate restrictors fitted to prevent inadvertent contact with the overhead Conductors.

Please note that the overhead conductors are live at 132,000 volts.

Staffordshire Police

I support the intention to install CCTV in these proposals. I recommend that vulnerable areas are covered and where possible alarmed. Views from boundary corners and down straight lengths of the boundary should be considered. Where

privacy requirements allow, this should include vehicle and pedestrian access points for both sites.

I recommend that the Customer Switchroom and Control Building, DNO Control Room and any other vulnerable structures are protected by Monitored Alarm Systems to BS EN 50131-1:1997 Grade 3 and BS 8418 with a unique reference number aimed at achieving Police Response.

1.1 Alarm System and CCTV.

I recommend that the Customer Switchroom and Control Building, DNO Control Room and any other vulnerable structures are protected by Monitored Alarm Systems to the following standards with a unique reference number aimed at achieving Police Response.

Secured By Design Commercial Developments 2015.
Section 64 Intruder alarms systems.

Section 64.1 (Security Systems Policy and Police Response)

A suitably designed, fit for purpose, monitored intruder alarm system must be installed. For police response, the system must comply with the requirements of the Security Systems policy, which can be found at www.securedbydesign.com

Section 64.2 (Loss Prevention Certification Board component requirements)

System designers may wish to specify component products certificated to the following standards:

- o LPS 1602 Issue 1.0: 2005 Requirements for LPCB Approval and Listing of Intruder Alarm Movement Detectors
- o LPS 1603 Issue 1.0: 2005 Requirements for LPCB Approval and Listing of Alarm Control Indicating Equipment

I support the intention to install CCTV in these proposals. I recommend that vulnerable areas are covered and where possible alarmed. Views from boundary corners and down straight lengths of the boundary should be considered. Where privacy requirements allow, this should include vehicle and pedestrian access points for both sites.

Section 49 Closed circuit television (CCTV).

Section 49.1 (As part of a Security Plan and Security Management)

CCTV is not a universal solution to security problems. It can help deter vandalism or burglary and assist with the identification of offenders once a crime has been committed, but unless it is monitored continuously and appropriately recorded, CCTV will be of limited value in relation to the personal security of staff and visitors. That being said, the provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan.

Section 49.3

The CCTV system must have a recording capability, using a format that is acceptable to the local police. The recorded images must be of evidential quality if intended for prosecution. Normally this would require a full 'body shot' image of a suspect. It is

recommended that fixed cameras are deployed at specific locations for the purpose of obtaining such identification shots. An operational requirement must take account of this fact and decisions made as to what locations around the building are suitable for obtaining this detail of image. The recording of vehicle licence plates may also be practical and useful.

Section 49.4 (Matters requiring discussion with installer)

Whilst the location of cameras is a site-specific matter it would be normal practice to observe the main entrance to the premises and the reception area. Early discussions with an independent expert and potential installers can resolve a number of matters including:

- monitoring and recording requirements
- activation in association with the intruder alarm
- requirements for observation and facial recognition/identification
- areas to be monitored and field of view
- activities to be monitored
- the use of recorded images
- maintenance of equipment and the management of recording
- subsequent ongoing training of Operatives

Section 49.5 (Required Minimum Standard for installation)

CCTV systems must be installed to BS EN 50132-7: 2012+A1:2013 CCTV surveillance systems for use in security applications

Section 49.6 (Lighting must support the proposed CCTV system)

The design of a CCTV system should be co-ordinated with the existing or planned lighting system for the buildings and the external grounds, to ensure that the quality of the lighting is sufficient to support the CCTV.

Section 49.8 (Data Protection, Human Rights and Information Commissioners registration)

CCTV systems may have to be registered with the Information Commissioner's Office (ICO) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available at this website: www.ico.gov.uk

Section 49.9 (CCTV Management and Operation Code of Practice and Best Practice in relation to use of data as evidence)

For guidance on the use of CCTV images as legal evidence see also BS 7958: 2009 Closed circuit television (CCTV). Management and operation. Code of practice. This document provides guidance and recommendations for the operation and management of CCTV within a controlled environment where data that may be offered as evidence is received, stored, reviewed or analysed. It assists owners of CCTV systems to follow best practices in gaining reliable information that may be used as evidence.

Section 49.10 (Installation standard for detector operated systems)

Remotely monitored detector activated CCTV systems must be installed in accordance with BS 8418: 2015 Installation and remote monitoring of detector operated CCTV systems - Code of practice

1.2 Proposed Security Fence.

I support the intention to install a Palisade fence to a height of 2.4m. This boundary should be manufactured and installed to LPS 1175 Security Rating 1.

Secured By Design. Commercial 2015.

Note 43.16: The above LPS standard (LPS 1175 Security Rating 1) relates to both the height and penetrative resistance of the fence i.e. SR 3 is substantially more resistant to penetration than SR1. Such penetrative resistance may not always be required even though a height of 2.4m is necessary. In such circumstances, SBD will allow the extension in height of a certificated SR 1 fence.

Section 43.17 All fencing systems and gates as described in paragraphs 43 and 44 (Secured By Design. Commercial 2015) must be installed by the manufacturer or to the exact installation specifications provided by the manufacturer. BS 1722 offers installation advice. Consideration must be given to the provision of a strip foundation if there is a perceived risk of the fence being bypassed or undermined by the removal of substrate, guidance is also provided in BS 1722.

This fencing must be installed by the manufacturer or to the exact installation specifications provided by the manufacturer. BS 1722 offers installation advice.

Gates.

All gates installed within a secure fencing system as described above must be certificated to the same standard as the adjoining fencing and be of the same height and similar style. It should not be possible to lift the gate from its hinges, and the hinges and lock cylinder should be protected in such a way as to prevent their use as climbing aids.

Care should also be taken in the design to ensure that cross sections do not inadvertently aid climbing. It should not be possible to pass under the gate when in the closed position.

Note: If gates are installed with locks that are remotely operated, they must form part of the manufacturer's Secured By Design certificated range.

1.3 Lighting (Recommended minimum guidance.)

The proposed lighting layout should be aimed at removing opportunities for criminals to act unobserved during the hours of darkness. The entire site should be illuminated, with higher lighting levels provided for vulnerable areas. This is of greater importance where this lighting is intended to support CCTV. Note: Taking into account the location and the use of CCTV, motion sensor activated lighting is probably the most appropriate lighting for these proposals.

Secured By Design. Commercial (2015 V2).
Security Lighting. Section 39. External Lighting.

Section 39.2 In terms of security, the objective of lighting commercial units after dark is to deter or detect an intruder (See Section 2 paragraphs 48 for standards and values).

Section 39.3 Lighting design should be co-ordinated with a CCTV installation (when specified) and the landscape designed to avoid any conflicts and to ensure that the lighting is sufficient to support a CCTV system. Light fittings should be protected where vulnerable to vandalism.

39.4 A lighting scheme should provide uniformed lighting levels with good colour rendition and be sufficient to cater for lawful after dark activity around the industrial or warehouse unit and site. It should not cause glare or light pollution and should support both formal and informal surveillance of the site.

Section 39.5 External illumination when the building is unoccupied is recommended for entrance gates and routes to the main entrance and doors, car parks (if occupied by vehicles) and observable building elevations.

Section 39.6 In some circumstances, and especially where security guards are monitoring the building from outside, it may be useful to direct lighting at the building to aid intruder detection.

Section 39.7 The use of bollard lights may be useful for way finding, however bollard lights fail to properly model the facial features of pedestrians and are vulnerable to vandalism and vehicle collision. Therefore, their use for security purposes is discouraged.

Section 48. External lighting standard requirements.

Section 48.1 All street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks must comply with BS 5489-1:2013.

Section 48.2 Landscaping, tree planting and lighting schemes shall not be in conflict with each other.

2. Further Information.

Please note that relevant help and information may be gained from the following web sites:

www.securedbydesign.com (The official Police Security Initiative and Police Preferred Specified security product scheme).

www.gov.uk/data-protection (Online notification of CCTV schemes, Data Protection Principles and relevant Codes Of Practice).

www.bsi-global.com (Standards, Training, Testing, Assessment and Certification).

www.bregroup.com (Offer quality of performance and protection certification for fire, security and environmental products and services).

www.nsi.org.uk (Independent UKAS-accredited certification body in the security and fire sector).

www.ico.gov.uk (Independent authority upholding information rights in the public interest and data privacy for individuals).

Staffordshire Fire and Rescue Service

FIRE MAINS, HYDRANTS AND VEHICLE ACCESS

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section

15 and 16. I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance G.V.W. of 17800 Kg.

AUTOMATIC WATER SUPPRESSION SYSTEMS (SPRINKLERS)

I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers. Staffordshire Fire & Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:

- Protect life, in the home, in business or in your care.
- Protect property, heritage, environment and our climate;
- Help promote and sustain business continuity; and
- Permit design freedoms and encourage innovative, inclusive and sustainable architecture.
- Increase fire fighter safety
- The use of AWSS can add significant protection to the structural protection of buildings from damage by fire.
- Without this provision, the Fire and Rescue Service may have some difficulty in preventing a complete loss of the building and its contents, should a fire develop beyond the stage where it cannot be dealt with by employees using first aid fire fighting equipment such as a portable fire extinguisher.

SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community. Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing financial implications for all stakeholders.

Further information can be found at www.bafsa.org.uk- the website of the British Automatic Fire Sprinklers Association Ltd.

Cadent Gas

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP). The minimum building proximity distance (BPD) for the pipelines and associated installations is as follows:

Specific HP (WM1211) 14.3 metre BPD

The building proximity distance taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution

Your responsibilities and obligations

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence),

misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.



Field At (Penn 2) Penstone Lane Lower Penn