



**CLEARSTONE
ENERGY**

DARTFORD ENERGY HUB

PLANNING DESIGN AND ACCESS STATEMENT

Prepared by Clearstone Energy | December 2024 |
Document Reference: R002

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1. INTRODUCTION

- 1.1 This Planning, Design and Access Statement (PDAS) has been prepared by Clearstone Energy Limited (“the Applicant”) to accompany a full planning application to Dartford Borough Council (DBC) for the proposed installation of a Battery Energy Storage System (BESS) with associated infrastructure, together with landscaping and biodiversity enhancements (‘the Proposed Development’) on land to the north and south of Station Road, Southfleet, Kent, DA13 9PA.
- 1.2 The Proposed Development, by importing, storing and exporting 300MW of energy, would make a significant contribution to meeting national and local policy targets aimed at decarbonising the energy network. This is equivalent electricity to power approximately 33,000 homes in Kent and surrounding areas for 1 hour when fully charged¹.
- 1.3 National and local policies are supportive in principle of such projects. DBC declared a Climate Emergency in October 2019 and set a target of reaching Net Zero by 2030. A Net Zero Strategy is currently in draft format, having concluded consultation in March 2024. The Draft Strategy will cover the period 2024 to 2030 and will act as a road map to achieve Net Zero by 2030. One of the key objectives of the Strategy is to; ‘*support the generation of renewable energy across the Borough*’²
- 1.4 The National Energy System Operator (NESO) was set up by the present Government to take national control over the energy system. NESO was required to set out a feasible strategy to deliver clean energy in Britain by 2030. NESO published its Clean Power strategy in November 2024. BESS technology is a key component in the delivery of this target.

Overview of the Proposed Development

Global Warming and Climate Change

- 1.5 There is an accepted and urgent need to decarbonise the UK economy to assist in tackling global warming and climate change. 2022 was the UK’s warmest recorded year and it experienced its first ever 40°C day, and saw unprecedented numbers of heat related deaths, wildfire incidents and significant infrastructure disruption³. A Climate Emergency has been declared around the world, nationally and also locally within Dartford and Kent.
- 1.6 A significant reduction in carbon dioxide (CO₂) and other greenhouse gas emissions is urgently needed to help stop climate change. In 2023/2024 England and Wales had the eighth wettest winter since records began more than 150 years ago, with England having one and a half times its average March

¹ Estimates for daily electricity consumption for the average UK household vary from 7.9 kWh (OFGEM) to 9.9 kWh (Department for Net Zero and Energy Security). The midpoint is 8.9kWh. This equates to 0.37kWh per hour or 3.7kWh across 10 hours. 10 hours power for 350,000 homes is 1,295,000 kWh. The project has an export / import capacity of 300MW.

² DBC Net Zero Strategy 2023-2030

³ Source: Progress in Reducing UK Emissions: 2023 Report to Parliament from the Climate Change Committee June 2023

rainfall in 2024. As well as being wet, it has been mild. Globally, March 2024 was the warmest ever on record, the tenth record breaking month in a row.

- 1.7 As such the UK Government is legally committed to reaching net zero carbon emissions by 2050⁴ (Net Zero). In large parts, this involves a move away from traditional fossil fuel energy sources, like coal, oil and gas which, when burned to create electricity, power or heat, release CO₂ and other warming greenhouse gases into the atmosphere. This is a major challenge given that in 2022 fossil fuels made up 82% of the UK's total energy supply, and energy is part of almost every product or service that the economy relies on⁵.

Energy Generation

- 1.8 The Government is targeting the total decarbonisation of the electricity network by 2035 such that it *"will consist of abundant, cheap British renewables, cutting edge new nuclear power stations and be underpinned by flexibility including storage [our emphasis], gas with CCS, hydrogen and ensure reliable power is always there at the flick of a switch"*⁶. In turn this will support the electrification (and hence decarbonisation) of transportation and heating.
- 1.9 Great progress has already been made in meeting this target. The UK officially closed its last coal-fired power plant, Ratcliffe-on-Soar in Nottinghamshire, in September 2024. This marked the end of 142 years of coal-fired electricity generation in the UK. The UK is the first G7 nation and major economy to achieve this goal.

The Importance of BESS

- 1.10 BESSs, such as the Proposed Development, are a vital component to achieving a decarbonised energy network by 2035. BESSs resolve the highly problematic issue of balancing highly variable weather dependent renewable energy to the peaks and troughs of electricity demand. As a greater proportion of our energy is generated by renewables such as solar and wind, BESSs are needed to store this low carbon electricity at times of low demand and then release it at times of higher demand. This maximises the availability of affordable renewable energy on the grid network, whilst also providing national security of power supply.
- 1.11 Currently a balanced electricity network is achieved by turning off renewable energy generation when supply outstrips demand, and turning on gas-fired power stations when demand outstrips supply. Turning off renewable energy in this way creates significant extra costs, wastes affordable sources of clean energy at a time of high fuel prices, and results in an increased network carbon footprint when we should be reducing carbon emissions⁷.

⁴ The Climate Change Act 2008 (2050 Target Amendment) Order 2019

⁵ Source: Future Energy Scenarios July 2023.

⁶ Net Zero Strategy 2021

⁷ Between 2015 and 2021, National Grid curtailed over 13% of the total wind energy generated. In 2020 and 2021 curtailment was especially high, costing £806 million and wasting enough renewable energy to power 800,000 homes.

Benefits of the Proposed Development

- 1.12 The Proposed Development represents a clear form of sustainable development, storing energy and helping reduce carbon emissions which are required to meet the legally binding Net Zero 2050 target and to decarbonise the electricity network by 2035.
- 1.13 The Proposed Development would, over time, also provide urgently needed low carbon energy to consumers, and increased network flexibility in accordance with Government policy to address energy security and provide affordable energy.
- 1.14 The Proposed Development will provide significant biodiversity enhancements (13% net gain in habitat units) and form an important source of farm business income diversification.
- 1.15 The Proposed Development has no unacceptable impacts on landscape, visual impact, heritage, noise, wildlife and trees, flood risk or highways.
- 1.16 Whilst not material to the determination of the Application, the Applicant proposes to share the financial benefits of the Proposed Development with the local community by making available a Community Funding Offer worth the equivalent of £2 million pounds over the 40 year lifetime of the Proposed Development⁸.

The Applicant

- 1.17 Clearstone Energy is a leading British renewable energy developer working to deliver solar generation and battery energy storage projects to support a new UK energy system based on low carbon, secure and affordable renewable energy.
- 1.18 Since founding in 2016, Clearstone Energy has developed nine energy projects in the UK. Two are in operation and seven are awaiting construction.
- 1.19 Clearstone Energy believes its projects can do more than tackle climate change and provide affordable and secure energy generation/storage. Its projects are also designed to:
- engage meaningfully with the local community prior to the submission of planning applications to incorporate its feedback into the finalised scheme design, mitigation measures and local benefits;
 - create important wildlife habitats, designed to deliver significant biodiversity improvements for species and a positive landscape and ecological legacy; and
 - share a proportion of the project's financial benefits with the local communities that host them through a bespoke Community Funding Offer. The Offer has a value of £2 million over the lifetime of the project through the payment of £50,000 per year (indexed linked) to support community projects.

⁸ This is not a material consideration to the determination of the Application

Pre-Application Consultation

- 1.20 The Applicant carried out comprehensive and meaningful pre-application consultation in respect of the Proposed Development (between October and November 2024). The engagement primarily focused on seeking local community and stakeholder feedback on the draft scheme design, mitigation proposals and how best to share the project benefits with the surrounding area. Full details of the consultation undertaken and feedback received are presented in the Statement of Community Consultation (Ref. R013) accompanying the Application.
- 1.21 In summary, the Applicant:
- held a public exhibition at Southfleet Village Hall, Dale Road which was attended by 87 interested parties, on 5th November 2024.
 - conducted a digital consultation campaign, including a dedicated project website, that included all of the information presented at the public exhibition, including provisions for providing the Applicant with feedback.
 - held detailed discussions with Kent Fire and Rescue Service (KFRS) to ensure that the proposal was designed to comply with existing and emerging National Fire Chief Council (NFCC) Guidelines for Grid Scale Storage Planning.
- 1.22 The Applicant offered to present the scheme to Southfleet Parish Council on 4th November 2024, however this offer was declined on grounds of impartiality.
- 1.23 At the cessation of the consultation period, 37 feedback forms had been received. A further six emails / web enquiries were also received.
- 1.24 Following consideration of all the matters raised during the consultation period, the submission has been updated in the following ways:
- The planning application now includes a Site Safety Report (R020) providing a comprehensive review of the risks associated with BESS, the potential impact on the local community and environment and the proposed mitigation that has been included.
 - Emergency access within the site for Fire and Rescue Service vehicles and personnel has been improved by modifying access points to allow for responding emergency vehicles to park off the highway and by providing additional on-foot access between site sections.
 - Landscaping proposals have been updated to further reduce visual impact and ensure that vehicles using Station Road have clear lines of sight.
 - The Construction Traffic Management Plan (CTMP – Document Ref: R015)) now includes provisions to ensure the construction traffic would have an undue impact on users of Station Road or disrupt local businesses.

- 1.25 It is concluded that the Proposed Development has been well informed by technical and local community feedback, responding to any areas of concern, and therefore such matters should not be a reason for refusal.

Community Funding Offer

- 1.26 The response from local stakeholders to the Community Funding Offer was positive. Full details are provided in the SCI (Document Ref: R013).
- 1.27 The Community Funding Offer is entirely separate to the Application and is not material or relevant to its determination. The offer is not contingent upon receiving local community support; nor is it necessary to make the Proposed Development acceptable in planning terms; and nor should it be relied upon as a reason to grant planning permission.

Environmental Impact Assessment

- 1.28 An Environmental Impact Assessment (EIA) Screening Opinion Request in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for BESS proposals on the Site was submitted by the Applicant in October 2024 (ref. 24/01211/SCREEN).
- 1.29 At the time this Application was submitted, the LPA had not yet published their opinion. The Applicant has proceeded on the assumption that the Proposed Development does not constitute EIA development.

Planning Application and Accompanying Documentation

- 1.30 The Application and accompanying documents are listed below in Table 1.1.

Report Number	Report Title
R001	Application Document and Drawing Schedule
R002 - PDAS	Planning Design & Access Statement
R003 - LVIA	Landscape and Visual Impact Assessment
R003a - LVIA A.1	LVIA Appendix A.1
R003b - LVIA A.2	LVIA Appendix A.2
R003c - LVIA B	LVIA Appendix B
R003d - LVIA C	LVIA Appendix C
R004 - ECIA	Ecological Impact Assessment

R004a - PEA	Preliminary Ecological Appraisal Report
R005 - BBSR	Breeding Bird Survey Report
R006 - RSR	Reptile Survey Report
R007 - BASR	Bat Activity Survey Report
R008 - BNG	Biodiversity Net Gain Report
R008a - BNG Excel	Biodiversity Net Gain - Statutory Biodiversity Metric (Excel)
R009 - HIA	Heritage Impact Assessment
R010 - TTR	Trial Trenching Report
R011 - ALC	Agricultural Land Classification
R012 - AIA	Arboricultural Impact Assessment
R013 - SCI	Statement of Community Involvement
R014 - TS	Transport Statement
R015 - CTMP	Construction Traffic Management Plan
R016 - NIA	Noise Impact Assessment
R017a – GCS Part 1	Ground Conditions Desk Study Part 1
R017b – GCS Part 2	Ground Conditions Desk Study Part 2
R017c – GCS Part 3	Ground Conditions Desk Study Part 3
R018a - FRA part1	Flood Risk Assessment and Drainage Strategy Part 1
R018b - FRA part2	Flood Risk Assessment and Drainage Strategy Part 2
R019 - HRA	Hydrogeological Risk Assessment
0020 - ESM	Indicative Earthworks Specification and Methodology
R021 - SSR	Site Safety Report
R022 - BSR	Battery Safety Standards Report

Table 1.1 Application Documentation

Purpose and Structure of This Document

- 1.31 There are two main purposes of this PDAS. The first is to demonstrate how the Applicant has designed the Proposed Development as a suitable response to the Site, its setting and also that it can be satisfactorily accessed⁹.
- 1.32 The second purpose is to demonstrate how the Applicant has taken account of relevant planning policy and the extent to which the Proposed Development is compliant with the statutory Development Plan and other material considerations. In doing so the PDAS draws upon and cross-refers to the documents accompanying the Application and listed in Table 1.1. above.
- 1.33 The remainder of this PDAS is structured as follows:
- **Section 2** provides a description of the Site and surrounding area including relevant planning history;
 - **Section 3** explains the Proposed Development, including its proposed construction, operation and decommissioning;
 - **Section 4** outlines the approach taken to the design and access of the Proposed Development;
 - **Section 5** provides a summary of the international, national and local climate change/ energy policies;
 - **Section 6** sets out the planning legislative/ policy framework for the determination of the Application;
 - **Section 7** provides an assessment of the Proposed Development against the aforementioned relevant national and local policy; and
 - **Section 8** sets out a conclusion of the overall acceptability of the Proposed Development.

⁹ In line with Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and submitted as a “major” development

2. THE SITE AND SURROUNDING AREA

- 2.1 This section describes the location, key features and planning history of the Site and the surrounding area. It identifies any relevant planning and environmental designations, and explains the Applicant's site identification process.

Site Location

- 2.2 The Site Location Plan is shown on Drawing Ref: DF1.0.
- 2.3 The Site is located two agricultural fields, bisected by Station Road, hereafter referred to as 'the northern land parcel' and the 'southern land parcel'. The cable connection to the National Grid substation passes east from the site to the eastern side of the A2 highway.
- 2.4 To the north of the northern land parcel is the A2, beyond which the land use becomes built up with commercial, residential and industrial uses all prevalent. The Site is located amongst a substantial amount of existing development and infrastructure, including Millbrook Garden Centre immediately to the north-east, electrical infrastructure associated with the National Grid Substation, the A2 highway and several railway lines, some of which are not currently in use. Immediately to the west of the northern land parcel, a heavily landscaped disused railway embankment provides a route for the Proposed Developments cable into the National Grid Substation.
- 2.5 Despite the immediate urban characteristics that surround the Site, land to the south, east and west is rural with agricultural uses dominating land use, with some isolated development. The village of Southfleet is located approximately 1km to the south of the Site. The nearest residential is Station House (off Station Road) to the south west of the Site, which also includes a commercial operation. Four further properties lie on the opposing side of Station House.
- 2.6 Station House has an attached commercial operation which flanks to the Sites western boundary which alter the character of the area on which the property sits. The commercial element allows the Proposed Development to be better assimilated into the local landscape.
- 2.7 The BESS site is located entirely with the Dartford Borough Council authority area, however a small section of the cable route (as it crosses the A2 into the National Grid Substation) is located in Gravesham District Council authority area.
- 2.8 Both land parcels are accessed directly from Station Road which connects to the wider regional and national highway network, particularly the A2.

Existing Site Size and Use

- 2.9 The overall Site comprises approximately 9.39 ha, with 60% of this on predominantly grazing land. The land has been subject to an Agricultural Land Classification survey (Document Ref: R011, conducted by ADAS) which has classified the Site as a mix of Grades 2 and 3a.

- 2.10 The developed area of the Site is made up of two arable fields both of which are bound by existing hedgerows, trees and scrub. Both fields have been used for grazing in recent years with the northern parcel being used for occasional temporary commercial uses including a circus and a car-boot sale location.

Description

- 2.11 The northern boundary of the northern field parcel abuts Millbrook Garden centre and the A2, on the opposing side of the A2 is the National Grid Substation and the dense urban area of Dartford. Immediately to the east of the garden centre is a recycling centre. Both the garden centre and the recycling centre are accessed off Station Road. Overhead powerlines and pylons associated with the National Grid Substation criss-cross the immediate area. Directly to the west is a disused railway embankment that has become heavily overgrown.
- 2.12 The southern land parcel is bound to the north by Station Road and to the south by an active CTRL railway line, before the land use opens out to rural fields. The villages of Betsham and Southfleet are both located c.1km to the south of the southern field parcel with residents likely using Station Road (off the A2) for access to Dartford to the north-east. To the east and west, the land use is more rural but pockets of dense vegetation, woodland and the general undulating topography of the area limit direct views to and from the Site.
- 2.13 Despite the Site being located within an area with a significant commercial and industrial make up, there are limited direct views of the Site due the screening effects of existing development and mature landscaping. There are no Public Rights of Way (PRoW) within the Site. PRoW 0235/DR132/2 is located to the south of the Site, adjacent to the CTRL railway line.
- 2.14 The Environment Agency's (EA) "Flood Map for Planning" indicates that the Site is located within Flood Zone 1 (low risk).
- 2.15 The nearest residential property is Station House to the south-west. A further four properties are located on the opposing side of Station Road. Views to and from the Site from these properties is compromised by mature existing screening and the natural topography of the immediate area.

Designations

- 2.16 The Site is not subject to any statutory heritage designations, however there are two Scheduled Monuments (SAMS), Springhead Roman centre and town of Vagniacae, located a short distance to the north / north-west of the Site.
- 2.17 Vagniacae has been subject to many archaeological digs, starting in the 18th Century. Due the potential relationship of the Site with Vagniacae the Applicant agreed to proceed with a geo-physical survey and then subsequently trial trenching. The conclusion of the trial trenching was that the Site of the Proposed Development is unlikely to contain any substantial archaeological remnants. This is explored in further detail within the Heritage Impact Assessment (Document Ref: R009).
- 2.18 The Site or the surrounding area is not subject to any landscape designations.

2.19 The Site or the surrounding area is not subject to any international or national ecological designations.

2.20 The Site is located within the green belt.

Planning History

2.21 The Site has no relevant planning history.

Site Selection

2.22 The fundamental site selection requirements for the Proposed Development are as follows:

- An area located within 2 km of the POC. A short cable route allows the scheme to be commercially viable whilst also minimising electricity transmission losses. It also minimises environmental impacts;
- An area of at least 2 ha to accommodate the batteries, ancillary equipment and safe means of access/ egress;
- sufficient land to provide a minimum 10% increase in biodiversity and satisfactory surface water drainage;
- Sufficient distance from sensitive receptors to minimise the impact on the local community; and
- A landowner willing to make land available within a timeframe compatible with the Grid Connection Offer agreed between the Applicant and National Grid.

2.23 The Site is within 2 km of the POC¹⁰, is of sufficient size and a landowner agreement has been signed to lease the Site for 40 years for use as a BESS.

2.24 In what is a highly populated area of the country, the site is well separated from any sensitive local receptors and lies in an area that is dominated by existing infrastructure.

2.25 Alongside the above essential site requirements are other preferred site selection criteria (see Table 2.3 below) that are important to de-risking the planning application process where possible:

Preferred Criteria	Great Oak Energy Hub Site Performance
Outside an area at risk of flooding where possible	Yes The development area lies within Flood Zone 1.
Avoids unacceptable direct and indirect impacts on national designated landscape, wildlife and heritage areas	Yes

¹⁰ The Applicant has signed a Bilateral Connection Agreement with National Grid for the full import and export of electricity via this POC.

Preferred Criteria	Great Oak Energy Hub Site Performance
	The Site or surrounding area is free of restrictive heritage, ecological or landscape designations
Be proximate to strategic highway network	Yes A2 A2 within 0.5km of the Site
Be sufficiently distant from residential properties to minimise impacts	Yes No adverse visual or noise impacts
Be on industrial/brownfield land where ever possible and seek to avoid best and most versatile (BMV) agricultural land	No industrial/brownfield land available Minimal loss of BMV land
Be located within an already developed landscape where possible	Yes The Site accommodates pylons, overhead powerlines, a garden centre and a recycling centre
Flat land to limit earthworks, or capable of regrading	Yes Small amounts of earthworks are required
Avoid impacts to Public Rights of Way (PRoW) where possible	Yes No PRoWs are impacted
Drainage discharge point for surface water	Yes See drainage plan / strategy

Table 2.3 Preferred Site Selection Criteria

- 2.26 The Site performs well against the preferred criteria and is suitable for a BESS as demonstrated by the documents accompanying the Application.

3. PROPOSED DEVELOPMENT

- 3.1 This section provides a description of the Proposed Development, including its main components as well as the construction, operation and decommissioning phases.

Development Summary

- 3.2 The Proposed Development comprises the construction, operation and decommissioning of a BESS with associated infrastructure. It would be able to store and export 300MW (300MWh) of electricity to the grid. This is sufficient electricity to power approximately 33,000 homes within Kent and surrounding area for one hour when fully charged.
- 3.3 The description of the Proposed Development as applied for in this Application is as follows:

Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements.

Development Function

- 3.4 The primary function of the Proposed Development is to make the electricity grid network more flexible and resilient as it transitions from highly controllable and centralised electricity generation from fossil fuel power stations to intermittent and dispersed sources of low carbon renewable energy.
- 3.5 BESS technology achieves this by storing excess electricity available on the power system when supply outstrips demand, such as at times of high solar radiance levels or high winds, for use at a later point in time when demand outstrips supply. BESSs provide the essential balancing and flexibility services needed to operate a new generation electricity network underpinned by renewables rather than fossil fuels; matching weather dependent renewable wind and solar energy generation to the fluctuations in end user demand.

Development Area

- 3.6 Of the total Site area (approximately 9.39ha), just 2.65ha (29%) is proposed for the BESS, substation and access roads; and 2.91ha (31% of the overall Site area) is proposed for planting and wildlife enhancement around the BESS periphery. The remaining 3.83ha (40%) is the cable route area.

Area	Size (hectares)	% of Total Redline Area
Total Redline Application Site	9.39 ha	100%
Proposed BESS, substation and access points (Hard Infrastructure)	2.65	29%
Proposed Planting, Habitats and cable route	2.91	31%
Cable Route	3.83	40%

Table 3.1: Site Areas and Percentage Use

Development Components

3.7 The Proposed Development includes the following equipment:

- A battery storage compound surfaced with non-compacted permeable gravel containing:
 - Banks of battery units measuring 2.1m wide x 3.2m long x 2.6m high and arranged in rows of three to six units. The operation of the BESS is driven by market requirements but generally the batteries would charge at off-peak times, and then supply energy to the national transmission network at times of peak energy demand and/or when renewable energy sources are generating lower levels of electricity;
 - MV Twin Skid units measuring 2.2m wide x 6m long x 2.3m high). This arrangement allows for compact integration of two inverter units together with a medium voltage transformer to step up from low voltage to medium voltage;
 - Inverter units each measuring 3.9m wide x 2.8m long x 2.8m high. These are power conversion units which enable the two-way conversion of electrical energy. They convert DC power from the batteries into AC power which can be transmitted to the grid, as well as the reverse, converting AC power from the grid into DC power which can be used to charge the batteries;
 - Two water tanks at a maximum height of 2.5m.
- Associated infrastructure including:
 - A single substation and switchgear compound (gravel and concrete footings). The tallest piece of equipment within the compound would be 13m. This equipment would be secured by a 2.4m high moss green steel palisade fence with double gates;
 - Internal access roads made from rolled crushed stone and 4m in width;
 - Two access roads off Station Road, one for construction and operational traffic and one for emergency access only;
 - A steel palisade fence and double gates (no higher than 2.4m) around the battery storage compound;
 - CCTV and infrared cameras mounted on steel poles (no higher than 3m) and located to provide 24/7 security of the plant; and
 - Underground cabling to connect the battery banks, inverters/ transformers to the proposed on-site substation.

3.8 There is no lighting associated with the operation of the Proposed Development, other than a manually operated or passive infrared sensor lighting system in the event of night-time incident requiring maintenance attendance.

3.9 The point of connection for the Proposed Development is at the National Grid Substation to the north / north-east, a cable corridor is included within this Application and proceeds from the development to the disused railway embankment to the west. HDD will be used to lay the cable within the embankment. To the north of the A2 the cable route extends into Gravesham District Council, with the substation also being located within Gravesham.

3.10 An indicative Site Layout Plan for the Proposed Development is provided with Drawing No. DF4.0. This illustrates an indicative layout and is submitted for information purposes due to the inherent need to build in design flexibility (see below).

Design flexibility

- 3.11 Construction of the Proposed Development (in the event that planning permission is granted) would not commence until a final investment decision has been made by the Applicant and a contractor appointed, working to the connection date provided by National Grid. Following the award of the contract, the appointed contractor would carry out a number of detailed studies to inform the technology selection for the Proposed Development and also to optimise the layout and design before starting construction work on the Site.
- 3.12 Due to the nature of product design and innovation in the battery space, the technology is consistently evolving, becoming more efficient and safer. Allowing flexibility to be built into any planning permission will allow the Applicant to use the most technologically advanced infrastructure as and when the Proposed Development is to be constructed.
- 3.13 It follows that it is not possible for the Applicant to fix all design details at this stage. The Applicant has therefore sought to incorporate sufficient design flexibility. This relates to the dimension and layout of structures forming part of the Proposed Development, including the precise location of the Site and height of the proposed infrastructure.
- 3.14 In order to ensure a robust assessment of the likely significant environmental effects of the Proposed Development, the assessments that form part of the Application have been undertaken adopting the principles of the 'Rochdale Envelope'.
- 3.15 This approach involved assessing the maximum parameters for the elements where flexibility is required. A Rochdale Envelope involves defining a "Development Zone" rather than having a definite layout¹¹. The submitted Development Zone Plan (DF3.0) indicates where certain infrastructure can be located within the overall Application Site, allowing flexibility in terms of the internal layout of batteries, their specification, the substation and any ancillary structures.
- 3.16 For example, the batteries have been assessed for the purpose of landscape and visual impact as being at a maximum height of 3m, which is a worst case scenario as it is likely that the chosen battery would have a maximum height of 2.6m. Similarly, the inverters/ transformers have been assessed at a height of 3m, however the height is most likely to be 2.3m.
- 3.17 This approach has also involved defining Development Zones rather than having a defined layout. This allows future contractors to optimise the layout of the BESS following any grant of planning permission, rather than being bound to precise layout.
- 3.18 The zones are shown on the Proposed Development Zones Plan (see Document Ref. DF3.0) that has been submitted for approval with the Application. The Plan is reproduced for ease of reference in Figure 3.1 below.

¹¹ Examples of the Rochdale Approach being used are plentiful. Three examples relating to solar and BESS are:

- i) Clearstone Services - Mid Devon Council Application Ref: 23/01351/MFUL for BESS facility, approved April 2024
- ii) Shropshire Council Application Ref: 22/03068/FUL for solar and BESS facility, approved Nov 2022

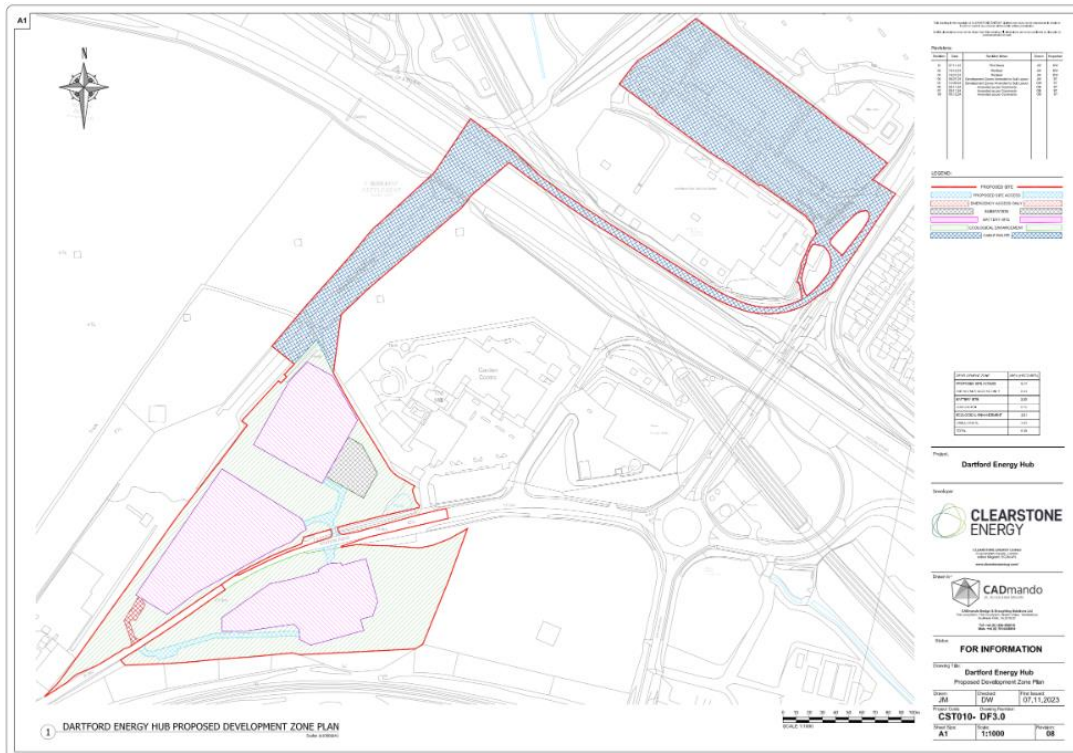


Figure 3.1 Proposed Development Zones

3.19 The different coloured zones define where certain infrastructure would be located within the Site, but there is flexibility in terms of the detailed layout within each zone. The key infrastructure that is permitted to be located within each zone is as follows:

- Light Blue Development Zone - site access and access roads to the substation compound and the battery storage compound.
- Dark Blue Development Zone – cable route
- Grey Development Zone - substation
- Pink Development Zone - batteries and inverters/transformers, internal access roads, underground cabling, site surfacing with non-compacted gravel and security fencing; and
- Green Development Zone – Ecological enhancements

Planning Application Drawings

3.20 A summary list of all drawings provided for approval is set out below:

Drawing Number	Drawing Title
CST010-DF1.0_rev05	Site Location Plan
CST010-DF2.0_rev05	Existing Site Layout Plan
CST010-DF3.0_rev09	Proposed Development Zone Plan
CST010-DF4.0_rev10	Proposed Site Layout Plan
CST010-DF6.0_rev04	Indicative Battery Unit
CST010-DF7.0_rev02	Indicative Containerised Equipment Plan
CST010-DF8.0_rev03	Indicative MV Skid
CST010-DF9.0_rev03	Indicative PCSK Inverter
CST010-DF10.0_rev02	Indicative Palisade Security Fence and Gate
CST010-DF11.0_rev02	Indicative CCTV Camera and Pole
CST010-DF12.0_rev02	Indicative Substation Layout (Plan)
CST010-DF13.0_rev02	Indicative Substation Layout (Section)
CST010-DF14.0_rev02	Indicative Aux Transformer
CST010-DF15.0_rev02	Indicative Access Track
CST010-DF16.0_rev03	Indicative Fire Hydrant
CST010-DF17.0_rev02	Water Tank Elevation Plan
CST010-DF18.0_rev02	Proposed Ecology Plan
CST010-DF19.0_rev03	Sensitive Receptor Plan
CST010-FS1.0_rev06a	NFCC Design Compliance
CST010-CF1.0_rev03	Indicative Cross Sections Plan
CST010-CF2.0_rev03	Indicative Cross Sections
CST010-LS1.0_rev03	P03 Landscape Strategy

Table3.2: Planning Application Drawings (see Document Ref: R002)

Landscaping and Wildlife Proposals

- 3.21 Extensive landscaping and wildlife proposals are an integral part of the Proposed Development's design and are illustrated on the Landscape Strategy (LS) (Document LS01):
- 3.22 The landscaping and wildlife proposals shown in the LS:
- a. Native woodland buffer to the east of both land parcels to aid screening;
 - b. Wildflower meadow planting the northern land parcel;
 - c. Existing vegetation along the Station Road boundaries to be improved with additional hedgerows and tree planting; and
 - d. Proposed neutral grassland glades; and
 - e. Bolstered planting along existing farm tracks with hedges and trees.
- 3.23 Following delivery of the above, and through its ongoing management and monitoring, there would be an approximate 13% increase in habitat biodiversity and an approximate 29.07% increase in hedgerow biodiversity. These increases (cumulatively) are in excess of the Government's 10% biodiversity net gain target as required in the Environment Act.
- 3.24 Once the landscape and wildlife proposals establish and mature they would result in positive landscape effects through enhanced landscape structure and adding significantly to the wildlife habitats available on the Site.
- 3.25 Clearly, the landscape proposals would significantly enhance the biodiversity of the Site, providing a range of resources for locally-occurring wildlife and would protect, enhance and strengthen the field boundary features to improve screening and local landscape character.

Access Proposals

- 3.26 All Site access proposals are presented in Document Ref: R001 Application Document and Drawing Schedule.
- 3.27 Proposed construction and operational access to both the northern and southern land parcels is to be taken off Station Road. The access will be widened and formalised for use by construction and operational vehicles.
- 3.28 Secondary access points for both land parcels are also found off Station Road for emergency vehicles only and are provided to comply with the latest guidance published by the National Fire Chiefs Council (NFCC).

Construction

- 3.29 The construction phase of the Proposed Development is expected to be between 12 and 15 months. During this period, initial site setup works would take place followed by construction of the internal access route(s), ground works, the installation of the batteries and other infrastructure, as well as establishing the cable connection.
- 3.30 Facilities would be provided on site for construction workers, including provision of a site office and welfare facilities (including toilets and changing and drying facilities). Fencing would be installed around the perimeter of the Site and temporary parking would be provided for construction workers within the Site.
- 3.31 The proposed construction hours are as follows:
- 08:00-18:00 Monday to Friday;
 - 08:00 -13:30 on Saturdays; and
 - No construction activities on Sundays or Public Holidays.
- 3.32 Where possible construction deliveries would be coordinated to avoid the traditional AM peak hour (08:00-09:00) and PM peak hour (17:00-18:00).
- 3.33 Should work be required to be undertaken outside of these times, this would be agreed in writing in advance with the LPA.
- 3.34 Details of the proposed construction traffic management measures are set out in Document Ref: R015 Construction Traffic Management Plan (CTMP).
- 3.35 It is expected that there would be an average of just over two HGV deliveries per day during the construction phase. There would also be construction workers arriving at the Site in the morning and departing in the evening, although the numbers involved are forecast to be relatively low (up to 10 LGV arrivals per day) and would occur outside of peak hours.

Operation

- 3.36 Once operational, the Site would be remotely monitored and maintenance vehicles (likely to be a transit van) would visit the Site approximately once every couple of weeks.
- 3.37 Space would be available within the Site to park and to turn around to ensure that reversing would not occur onto the highway.
- 3.38 The wildlife area would be managed and maintained in accordance with the details approved in a final Landscape Strategy.
- 3.39 There would be no lighting following construction, other than a manually operated or passive infrared sensor lighting system in the event of night-time incident requiring maintenance attendance.

Decommissioning and Restoration

- 3.40 At the end of the Proposed Development's lifespan (40 years), all electrical infrastructure and other hard infrastructure (fencing, internal access roads) approved under any planning permission would be removed and the Site returned to agricultural use. It is anticipated this would be secured by way of a planning condition attached to any planning permission.

4. DESIGN

- 4.1 This section sets out the Applicant's approach to the design of the Proposed Development including how the design has evolved through the pre-application process.

Design Principles

- 4.2 The overarching design principles of the Proposed Development are to:
- a. Ensure the approach to design is inclusive of local community feedback. This has been achieved through the pre-application engagement including through the public exhibition, website and letter drop (see Document Ref: R013 Statement of Community Involvement);
 - b. Position the main infrastructure components to minimise environmental and amenity impacts;
 - c. Assimilate the Proposed Development into the local landscape as sensitively as possible;
 - d. Provide opportunities for the management and enhancement of wildlife to deliver at least a 10% biodiversity net gain;
 - e. Provide a functional and commercially successful design that makes best use of the location, provides for efficient storage of electricity to optimise tackling climate change and supporting increased renewable energy deployment, and improving energy security;
 - f. Ensure the safety of people, property and the environment through site design and engagement with key stakeholders such as the Kent Fire and Rescue Service (SFRS); and
 - g. Ensure safe and efficient access to the public highway.

Design Approach

- 4.3 The approach taken to the design of the Proposed Development has been informed by its locational characteristics as well as the opportunities and constraints presented on the Site itself.

Locational Characteristics Informing Design

- 4.4 The surrounding land use is very much mixed, to the north/ east, major suburban uses are prevalent, including a large National Grid substation. The pylons and overhead lines associated with the substation radiate in all directions, including through the Site of the Proposed Development. The Site is located amongst other relatively modern commercial and industrial uses including a garden centre and a recycling facility.
- 4.5 The land use to the south, east a west is distinctly different from the north being rural with small established villages and isolated farmsteads making up the majority of residential uses. The rural backdrop provides excellent screening as fields are often bound by mature landscaping and pockets of woodland.

- 4.6 The Site is located within the green belt and as such is recognised as inappropriate development, however, the Applicant contends that the material benefits of the scheme outweigh any perceived undue impact on the openness of the green belt at this location.
- 4.7 Sensitive receptors are limited to road users along Station Road. Station Road runs in a south west to north east direction, connecting the A2 in the north to villages to the south. Views of the Proposed Development from Station Road are glimpsed and with the proposed landscaping scheme fully implemented and matured, these glimpsed views will reduce still further. These views are also in the context of existing infrastructure development.

Site Characteristics Informing Design

- 4.8 The Proposed Development's infrastructure has been situated in such a way as to avoid sprawling into the green belt. The Site lies immediately adjacent to a garden centre, recycling facility, railways and the A2, and whilst it is accepted that the land is more rural to the south, the Site is considered to be entirely acceptable from a planning perspective.
- 4.9 The design of the scheme makes use of the existing boundary vegetation to screen views. The Applicant is committed to providing further substantial planting around the perimeter of both land parcels, further bolstering screening, without unduly changing the setting of landscape.
- 4.10 The approach taken to the design of the Proposed Development is considered appropriate given its predominant locational and site characteristics.

Design Evolution

- 4.11 The design process for the Proposed Development has been undertaken over time and iteratively, incorporating information gathered by the Design and Technical Teams from various sources including:
- A well-developed understanding of the Site's constraints/ opportunities and surrounding context;
 - Responding to environmental baseline data gathered by the technical team, such as topographic survey results, background noise levels, preliminary ecological surveys, infiltration testing etc.;
 - Feedback received from the pre-application engagement process including engagement with the local community, feedback from the EIA Screening consultees, discussions with Kent Fire and Rescue Service (KFRS);
 - The requests and requirements of the landowner, including protecting their ongoing agricultural operations; and
 - The assessment impact reports produced by the technical team which identified necessary mitigation measures.
- 4.12 As information has been collected it has been integrated within the project design. Changes to the Proposed Development have included:

- The planning application includes a Site Safety Report providing a comprehensive review of the risks associated with BESS, the potential impact on the local community and environment and the mitigation that has been included.
- Emergency access within the site for Fire and Rescue Service vehicles and personnel has been improved by modifying access points to allow for responding vehicles to park off the road and by providing additional on-foot access between site sections.
- Landscaping proposals have been updated to further reduce visual impact and ensure that vehicles using Station Road have clear lines of sight.
- The Construction Traffic Management Plan includes provisions to ensure the construction traffic would have an undue impact on users of Station Road or disrupt local businesses.

Design Through Consultation

- 4.13 The Applicant carried out a comprehensive pre-application consultation exercise in respect of the Proposed Development. The details of this are detailed in full in the Statement of Community Involvement accompanying the Application (Document Ref: R013) and also the Site Safety Report (Document Ref: R020).
- 4.14 The points raised by consultees on design have been considered by the Applicant and subsequently a number of changes and additions were made to the Proposed Development.

Design Components

Use

- 4.15 The current use of the Site is partly agricultural (60%) and partly existing developed area within the cable route (40%), and extends to 9.39ha in total.
- 4.16 The Site is proposed to be used for a BESS connected to the National Grid for a 40 year period. The plant, equipment and access points cover just 2.65ha (28%) of the total redline application area which is necessary for the Proposed Development to function for this use.
- 4.17 Some 2.91ha (30%) of the overall Site area is proposed for ecological enhancements.
- 4.18 At the end of the 40 year operational life the Proposed Development will be removed from Site and the land will revert back to agricultural use.
- 4.19 The location of the Site adjacent / close to major transport routes (A2) and amongst a backdrop of existing pylons, overhead powerlines, commercial/ industrial premises and the National Grid Substation, together with the limited visibility courtesy of the existing tree and vegetation coverage, means that it is compatible with a BESS development.
- 4.20 This PDAS, and the accompanying documents to the Application, set out the relevant considerations for why this Site is well suited to accommodate the Proposed Development. They conclude after thorough consideration that it is acceptable.

Layout

- 4.21 The proposed layout is fully detailed on the drawings submitted with the Application (see Document Ref: R002).
- 4.22 The layout responds to site specific considerations which have been identified as the design has progressed.
- 4.23 The identification of constraints and also opportunities to improve the Site, have been built into the design of the Proposed Development. These information sources have come from a variety of feedback mechanisms, including assessments made by the Applicant, and the Design and Assessment Teams (both as part of desk and site studies and survey) and in other feedback received from the local community, the landowner and the SFRS.

Amount and Scale

- 4.24 The total Site extends to approximately 9.39ha. The BESS occupies approximately 2.65 ha (29%) of the Site with the remaining area dedicated to ecological enhancements and landscaping (2.91ha (31%)) and cable route (3.83ha (40%)).
- 4.25 The scale of the Proposed Development has been defined by the equipment necessary to form a BESS with an export capacity of 300MW to reflect the Applicant's connection agreement with the National Grid. This is equivalent electricity to power approximately 33,000 homes in Kent and surrounding areas for one hour when fully charged¹².
- 4.26 The Proposed Development is easily and fully reversible at the end of its 40 year operational life, when it will be decommissioned and the Site restored to agricultural use.

Appearance

- 4.27 The Proposed Development is of functional appearance. The plant and equipment associated with the Proposed Development are shown on the drawings submitted as part of the Application (see Document Ref: R001).
- 4.28 The appearance of the Proposed Development is fully assessed within the Landscape and Visual Appraisal (LVIA) which accompanies the Application. See Document Ref: R003.
- 4.29 The LVIA concludes that there is capacity for the landscape to accommodate the Proposed Development without causing landscape harm to the surrounding area. Visual effects arising as a consequence of the Proposed Development would be limited in scale and extent, and they would reduce over time as the proposed mitigation planting matures. The effects would be reversible with the removal of the Proposed Development and the reinstatement of present land management.

Landscaping and Wildlife

- 4.30 A scheme of landscaping and wildlife enhancements has been developed which will deliver plant screening, landscape structure improvements and wildlife enhancements including biodiversity net gain

¹² Estimates for daily electricity consumption for the average UK household vary from 7.9 kWh (OFGEM) to 9.9 kWh (Department for Net Zero and Energy Security). The midpoint is 8.9kWh. This equates to 0.37kWh per hour or 3.7kWh across 10 hours. 10 hours power for 350,000 homes is 1,295,000 kWh. The project has an export / import capacity of 300MW. Based on today's battery technology and current biodiversity requirements and fire safety guidelines it would be possible to install batteries on the site to a total energy storage capacity of 300MWh (300,000kWh).

beyond the statutory minimum of 10%. Although not included in the redline area, a portion of land is to be brought under the control of the Applicant in order to provide further ecological enhancement. Please see Biodiversity Net Gain for a full breakdown. The Proposed Development would provide 13% net gain in habitat units and 29.07% net gain in hedgerow units.

- 4.31 These are shown on the Landscape and Ecological Management Plan (LEMP) Plan submitted with the Application (Document Ref: R005i) and the Biodiversity Net Gain report.
- 4.32 The details of these proposals are summarised in Section 3 above and are not repeated here.
- 4.33 The landscape and wildlife mitigation proposals include measures that aim to avoid, reduce, or remedy adverse impacts by ensuring the scheme is incorporated as sensitively as possible into the landscape setting and wildlife priorities for the area.

Site Security and Safety

- 4.34 The perimeter of the BESS infrastructure will be a 2.4 m high steel palisade fence. The entrance to the Site will be gated and secured with standard meeting padlocks.
- 4.35 The Site will be secured with a full CCTV and intrusion system manned 24 hours a day by personnel contractually committed to act promptly on the Site in case of an alarm.
- 4.36 During construction valuable plant and materials will be stored in a secured construction compound with a security team undertaking regular inspections. Other measures, as appropriate, will be employed to reduce the risk of crime and deter criminal activity from occurring during this period.
- 4.37 In terms of battery safety considerations, the most up to date standards have been incorporated within the site layout. These standards are explained in Document Ref: R014 Battery Safety Standards Report. This has been prepared by AECOM, world leaders in this sector.
- 4.38 Prior to the detailed design of the Proposed Development (assuming planning permission is granted), a site-specific Battery Safety Management Plan (BSMP) will be prepared for the approval in consultation with the KFRS. No development would commence on Site until the BSMP has been approved.

Access

- 4.39 Both land parcels are to be accessed from Station Road. The Site access arrangements are fully detailed within the Construction Traffic Management Plan (CTMP – Document Ref: R015) and Transport Statement (TS – Document Ref: R014) accompanying the Application.
- 4.40 The CTMP confirms the access proposed is suitable and would provide for a safe means of access to the Site. Two emergency secondary access points are proposed, also off Station Road to comply with NFCC guidelines.
- 4.41 Wheel washing facilities would be provided during construction to minimise debris on the public highway from construction delivery vehicles.
- 4.42 Temporary signage will be placed in the locality of the Site and the construction route to indicate that heavy construction vehicles are turning and using the route.

- 4.43 Once vehicles are within the Site there is sufficient space to enable vehicles to exit in a forward gear. The accompanying details set out how the access is to be achieved. The compound will provide all necessary parking for visitors to the Site and provide space for the secure storage of materials, plant and welfare facilities during the construction period.
- 4.44 Access roads within the Site enable movements to access the inverter/transformer station, substation compound and battery containers.
- 4.45 Once operational the same access would be used for maintenance purposes.

Conclusions

- 4.46 It is clear from the Applicant's careful understanding of the Site's locational context and constraints and opportunities, and from the detailed data collection and technical design inputs that the Applicant has demonstrated that matters of design and access have been at the fore of the Proposed Development's evolution.
- 4.47 It is concluded that the Proposed Development is appropriate in terms of design and access matters and therefore such matters should not be a reason for refusal.

5. Climate Emergency: the Role of Renewable Energy and Battery Storage

Carbon Reduction

- 5.1 It is accepted by scientists and governments that climate change is being triggered by higher levels of greenhouse gases in the atmosphere. The name for these gases derives from the greenhouse effect they create by warming the Earth's surface and the air above it. This is caused by gases that trap energy from the sun. The most common greenhouse gases are water vapour, carbon dioxide (CO₂) and methane.
- 5.2 CO₂ is widely recognised as the most damaging of greenhouse gases due to the length of time that it remains in the atmosphere, which is why cutting carbon emissions and seeking low-carbon alternatives will help to tackle climate change.
- 5.3 To tackle climate change a global and UK Climate Emergency has been declared. The UK has set a legally binding target of becoming a carbon neutral (Net Zero) economy by 2050¹³. Reaching Net Zero requires us as a nation to balance the amount of greenhouse gases we emit with the amount we remove. When what we add is no more than what we take away, we reach Net Zero.

Energy Generation and Storage

- 5.4 The Committee on Climate Change (CCC) (the Government's independent advisor on these matters) advised, when Net Zero by 2050 was legislated for, that it would require a major and urgent investment in clean energy technologies, including renewables such as wind and solar, and increased deployment of battery energy storage facilities to store renewable energy to balance out the intermittency of the energy source. This is required as a result of the UK's long-standing reliance on fossil fuels such that electricity generation was responsible for 21% of the UK's greenhouse gas emissions (including CO₂) in 2019, a huge contributor to the climate crisis¹⁴.
- 5.5 Traditional large scale, centralised fossil fuel and older nuclear power stations are being phased out and new decentralised renewable energy generation is being developed. The last coal fired power stations are due to be phased out in the UK no later than 2025 and, with the exception of Sizewell B and Hinkley Point C (currently under construction), all existing nuclear power plants are due to have ceased generating by the end of 2028.
- 5.6 Whilst renewable energy production is increasing, the demand for electricity is also increasing through the electrification of the transport and heat sectors including an increasing uptake of electric vehicles and electric heat pumps. As a result, electricity is anticipated to provide more than half of final energy demand in 2050, up from 17 per cent in 2019¹⁵. This increase in demand must be matched in increased supply, produced by low carbon and renewable sources to meet Net Zero by 2050.
- 5.7 In 2021, the Government set a target of a fully decarbonised UK electricity system by 2035 in support which is necessary to achieve Net Zero by 2050. In March 2023 the Government published Powering up Britain, its blueprint for the future of energy in this country. It requires the accelerated deployment of

¹³ The Climate Change Act 2008 (2050 Target Amendment) Order 2019

¹⁴ [2019 UK greenhouse gas emissions: summary \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/844212/2019-uk-greenhouse-gas-emissions-summary.pdf)

¹⁵ The Sixth Carbon Budget: The UK's path to net zero, Committee on Climate Change, December 9 2020.

renewables, with a goal of 50GW of offshore wind by 2030 and a five-fold increase in solar electricity generation to 70GW by 2035.

- 5.8 As these low cost renewable energy sources supply growing amounts of intermittent electricity it is critical that this deployment is matched by technologies which balance the electricity network when the wind is not blowing or the sun is not shining. The Government's energy strategy addresses this by proposing expanded new nuclear, gas with carbon capture and, importantly *"storage and flexibility provided by batteries"*¹⁶.
- 5.9 Batteries (such as those in the Proposed Development) counter the unpredictable and intermittent nature of renewable energy sources (as compared to fossil fuels) by storing energy when it is not needed and regenerating it when it is. Batteries provide the essential grid network flexibility to reliably supply consumers with electricity sourced from the growing amounts of wind and solar energy. Batteries provide the necessary real time balancing function for an electricity grid system underpinned in large measure by renewable energy. Batteries are able to react within the rapid sub-second timescales needed to keep the electricity network in equilibrium and stable.
- 5.10 In summary, to combat climate change, achieve Net Zero by 2050 and meet the rapidly growing demand for electricity supply, renewable energy generation urgently needs to increase in tandem with the essential battery energy storage technologies needed to balance this growing reliance on renewable energy sources with consumer demand
- 5.11 The remainder of this Section sets out the international, UK and Babergh and Mid Suffolk climate change and energy policies/targets which are material considerations of significant weight to be taken into account when determining the Application.

International Context

Paris Agreement 2016

- 5.12 The UK committed to the reduction of greenhouse gas emissions through the ratification of the United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement¹⁷ in November 2016 which is now signed by 198 countries.
- 5.13 The Paris Agreement committed its signatories to *"hold the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels"*. The agreement, which was adopted by nearly every nation including the UK, also made it clear that the global economy will need to be zero-carbon by the second half of the 21st Century.
- 5.14 After the commitments made in the Paris Agreement several research studies have suggested that at current rates of action by Governments around the world the average global temperatures are still likely to increase above 2°C. Further action is rapidly required to reduce global temperature rises.

¹⁶ Powering up Britain 2023

¹⁷ Signed at the Conference of Parties (COP) 21

UN Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report 2022

- 5.15 The UN Intergovernmental Panel on Climate Change (IPCC) published its Sixth Assessment Report in February 2022. The Report strongly emphasises the urgency of taking action against climate change, flagging the lack of progress since the Paris Agreement. To make up for this the global transition to Net Zero now needs to be accelerated. The UN Secretary General called for developed nations to aim to achieve Net Zero by 2040, at the latest.
- 5.16 The Report confirms the stark and irreversible effects of climate change around the world which have already taken place, and finds that there must be a *“decade of action”* now to try and keep the global rise in temperatures below 1.5°C: *“Above 1.5°C there is a risk of reaching climatic tipping points like the melting of arctic permafrost – releasing millennia of stored greenhouse gases – meaning the loss of the control of our climate for good”*.
- 5.17 The Report confirms that, without urgent action, places where people live and work may cease to exist and that ecosystems and species may disappear, with temperatures rising between 1.7°C and 1.8°C above 1850s level and exposing half the human population to periods of life threatening climatic conditions.
- 5.18 It advises *“To tackle climate change a deep reduction in CO₂ and other greenhouse gas emissions is urgently needed around the world”*. In part this involves a move away from traditional fossil fuel energy sources, like coal. These release CO₂ and other greenhouse gases into the air when they are burned to fuel power stations, and in turn these emissions act like a blanket holding heat in the earth’s atmosphere, warming the planet and causing climate change. To replace these fossil fuels and halt climate change, the IPCC envisage that by 2050 97% of power will need to be generated from renewables.

Conference of Parties (COP) 28

- 5.19 The most recent United Nations climate change conference took place in Dubai from 30 November to 12 December 2023. This was attended by the 198 countries who signed the UNFCCC in Paris in 1992. The conference is the world’s highest decision making body on climate issues, and its primary purpose is to maintain progress towards limiting long-term global temperature rises to no more than 1.5°C as per the Paris Agreement.
- 5.20 COP28 marked the first global stocktake on progress towards meeting the goals of the Paris Climate Change Agreement – something that will take place every five years going forwards. It affirmed that we are not on track to limit global warming to 1.5 degrees Celsius and the window for meaningful change is quickly closing. Commitments made at COP28 included a multi-billion dollar fund for global climate solutions, a declaration to include agriculture and farming into national plans to tackle climate change and targets to triple renewable power generation capacity and double energy efficiency this decade.

UK Context

- 5.21 The objectives of the UK energy policies are in accordance with the overall international policy objectives set out above – to secure an energy transition from fossil fuels to low carbon and renewable sources.

5.22 The objectives include:

- The reduction of CO₂ emissions to tackle climate change;
- The promotion of competitive energy markets in the UK;
- Affordability to customers; and
- Security of decentralised energy supplies.

Climate Change Act 2008

5.23 Fundamental and underpinning the declared National Climate Emergency in 2019 is the Climate Change Act 2008 (2050 Target Amendment) Order 2019 committing the UK to achieve a 100% reduction in greenhouse gases (compared to 1990 levels) by 2050. This legally binding target is known as Net Zero by 2050.

5.24 Since 2019 there has been a large number of Government publications setting out how to achieve Net Zero by 2050. The more recent ones are summarised below.

Ten Point Plan for a Green Industrial Revolution 2020

5.25 The Government's Ten Point Plan for a Green Industrial Revolution (November 2020) confirms how critical growing the quantities of renewable energy is to achieving Net Zero (including committing to 40GW of offshore wind by 2030), and the Government's Energy White Paper (December 2020) firmly supports increasing large-scale off-shore wind and solar energy generation as an acceptable source to tackle climate change:

"A low cost, net zero consistent system is likely to be composed predominantly of wind and solar. But ensuring the system is reliable means intermittent renewables need to be complemented by technologies which provide power, or reduce demand, when the wind is not blowing, or the sun does not shine. Today this includes nuclear, gas with carbon capture and storage and flexibility provided by batteries [our emphasis]."

Net Zero Strategy; Build Back Greener 2021

5.26 The Net Zero Strategy: Build Back Greener (October 2021) commits the UK to fully decarbonize its power system by 2035 (subject to security of supply) stating *"Our power system will consist of abundant, cheap British renewables, cutting edge new nuclear power stations and be underpinned by flexibility including storage [our emphasis], gas with CCS, hydrogen and ensure reliable power is always there at the flick of a switch"*.

Future Energy Scenarios 2022

5.27 Published by National Grid ESO in July 2022, Future Energy Scenarios (FES) represent a range of different, credible ways to decarbonise our energy system by 2035 as we strive towards the 2050 Net Zero target.

5.28 The report is clear that *"electricity storage capacity increases in all scenarios to ensure peak demand can be met reliably as an increasing proportion of our electricity is generated from weather dependent*

renewables. We need somewhere to store excess energy at times of high renewable generation, and somewhere to get energy from when demands are high and generation output is low. We expect battery storage to make up the largest share of storage power capacity in all scenarios by 2050 to help with shifting demand within the day and managing network constraints. Electricity storage will need to increase significantly to support the decarbonisation of our electricity system, with as much as twelve-fold and seven-fold increases in capacity (GW) and volume (GWh) respectively from 2021 to 2050. Battery storage sees the greatest increase in capacity, increasing from 1.6 GW in 2021 to as much as 20 GW by 2030 and 35 GW by 2050."

- 5.29 The report confirms that the *"policy, regulatory and market environment for storage will need change to bring forward the levels of energy storage we expect to need on the system."*

British Energy Security Strategy 2022

- 5.30 The Government published The British Energy Security Strategy (April 2022) which responds to the world wide events of the Covid pandemic, Russia's illegal invasion of Ukraine and soaring European gas and coal prices by setting out a strategy that will deliver *"a flow of energy that is affordable, clean and above all, secure"*.
- 5.31 Generating more renewable energy is promoted in the Strategy as a key priority including, for example, delivering 50GW by 2030 (increased from the 40GW proposed in the Ten Point Plan) and a five-fold increase in solar energy deployment by 2035 alongside more battery storage.
- 5.32 As part of accelerating the shift to low carbon electricity, the Government is: *"Encouraging all forms of flexibility with sufficient large-scale, long-duration electricity storage to balance the overall system by developing appropriate policy to enable investment"* (our emphasis).

Powering Up Britain- Energy Security Plan March 2023

- 5.33 In March 2023 Government published its blueprint report "Powering Up Britain – Energy Security Plan". The Plan sets out how Government will enhance the country's energy security, obtain the economic opportunities available as a result of the energy transition and deliver on the UK's Net Zero commitments.
- 5.34 It brings together the British Energy Security Strategy (2022) and the Net Zero Strategy (2021). The Report is focused on changing decades of reliance on imported fossil fuels, by reducing demand and boosting home grown energy, giving energy resilience the priority it deserves by investing in renewables and nuclear, to power Britain from Britain.
- 5.35 It too confirms that battery energy storage is central to the successful delivery of this strategy.

Powering Up Britain - The Net Zero Growth Plan March 2023

- 5.36 This Plan was published by Government alongside "Powering Up Britain – Energy Security Plan". The two Plans are complementary, and seek to ensure we can deliver energy security and increase the UK's international economic competitiveness, while delivering on Net Zero. "Powering Up Britain – the Net Zero Growth Plan" focuses on our long-term decarbonisation trajectory and how it can improve the UK's competitiveness, deliver an industrial renaissance and level up the whole of the United Kingdom.

- 5.37 It continues wholesale support for driving forward the deployment of increased renewable energy capacity, including pledging to establish a solar government/industry taskforce and publishing a solar roadmap setting out a clear step by step deployment trajectory to achieve 70GW of solar by 2035. Such expansion will further drive the requirement for battery energy storage capacity. Also at the heart of the Plan is a commitment to improving the effectiveness of the planning system to support both large scale nationally significant infrastructure like offshore wind, nuclear power and carbon capture, and support local decisions on renewable and low carbon energy.

Transmission Acceleration Plan November 2023

- 5.38 This report confirms the need for the existing transmission network to undergo an unprecedented expansion as our economy electrifies to deliver energy security and Net Zero. With the increasing shift towards electrification of transport, heating and industrial processes, a significant amount of additional grid capacity is required. To deliver this expansion in time, we need to significantly reduce the current end-to-end build time for transmission infrastructure.
- 5.39 The reforms proposed in the report are expected by Government to deliver on its ambition to half the time it takes to build electricity network infrastructure. In doing so, transmission infrastructure build can be removed from the critical path for major renewable energy and other energy projects such as battery energy storage, ensuring the network can be a vital enabler for an efficient, secure and fully decarbonised electricity system by 2035 and for the transition to Net Zero. further underlies the enormity of the step change needed and its urgency to deliver a decarbonised electricity network by 2035

Progress in Reducing Emissions 2023 Report to Parliament

- 5.40 In June 2023 the CCC published its report to Parliament containing its analysis of the UK's progress to Net Zero by 2050. Overall it highlights an overall lack of progress and, significantly, urgency:

"The Net Zero transition is scheduled to take around three decades, but to do so requires a sustained high-intensity of action. This is required all the more, due to the slow start to policy development so far. Pace should be prioritised over perfection."

- 5.41 In terms of electricity supply, the report notes that whilst renewable electricity capacity increased in 2022, this was not at the rate required to meet the Government's stretching targets, particularly for solar deployment. Given short lead-times, rapid deployment of onshore wind and solar could have helped to mitigate dependence on imported gas during the fossil fuel crisis.

Local Context

Dartford Borough Council Climate Emergency

- 5.42 DBC declared a Climate Emergency in October 2019 and set a target of reaching Net Zero by 2030. A Net Zero Strategy is currently in draft format, having finished consultation in March 2024. The Draft Strategy will cover the period 2023 to 2030 and will act as a road map to achieve Net Zero by 2030. One

of the key objectives of the Strategy is to; *'support the generation of renewable energy across the Borough'*¹⁸

¹⁸ DBC Net Zero Strategy 2023-2030

6. Planning Policy and Material Considerations

- 6.1 In determining an application for planning permission a decision maker is required by section 70(2) of the Town and Country Planning 1990 Act to have regard to the provisions of the Development Plan so far as material to the Application.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination “*must be in accordance with the plan unless material considerations indicate otherwise*”.
- 6.3 The Courts have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is therefore not necessary to accord with each and every policy contained within the Development Plan. Indeed, it is not at all unusual for Development Plan policies to pull in different directions¹⁹.
- 6.4 This section firstly identifies the relevant local Development Plan policies before setting out the wider material considerations that should be given due weight in the Application’s determination. In particular weight should be given to:
- a. The Overarching National Policy Statement for Energy (EN-1) presented to the Houses of Parliament in November 2023; and
 - b. The National Planning Policy Framework (2023).

The Development Plan

- 6.5 The Site is located within the jurisdiction of Dartford Borough Council which is the Local Planning Authority (LPA) determining the Application. A small section of the cable route (beyond the A2) is located in Gravesham Borough Council.
- 6.6 The Development Plan applicable for determining the Application is the Dartford Borough Council Local Plan (also known as The Dartford Plan) which was adopted in March 2024 and covers to period up until 2037.

The Dartford Plan (2024-2037)

- 6.7 The Dartford Plan sets out the strategic policy for development across the Borough. The following Plan policies are relevant to the determination of the Application:
- Policy S3 – Climate Change Strategy
 - Policy M1 – Good Design for Dartford
 - Policy M2 – Environmental and Amenity Protection
 - Policy M3 – Sustainable Technology, Construction and Performance
 - Policy M4 – Flood Risk and Riverside Design
 - Policies M4 and M5 – Historic Environment Strategy
 - Policy M12 – Green Belt in the Borough

¹⁹ Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]; R. v Rochdale MBC ex parte Milne [2000] & City of Edinburgh Council v. Secretary of State for Scotland [1997]

- Policy M14 – Biodiversity and Landscape
- Policies M15 and M6 – Transport and Sustainable Travel

Material Considerations

National Planning Material Considerations

Overarching National Policy Statement for Energy (EN-1) November 2023

- 6.8 This National Policy Statement (NPS) came into force on 17 January 2024. It is an important material consideration to applications such as the Proposed Development being considered under the Town and Country Planning Act 1990 (as amended)²⁰. It is part of a suite of NPSs issued by the Secretary of State for Energy Security and Net Zero. It sets out very current and up to date government policy for delivery of major energy infrastructure, and addresses battery energy storage facilities.
- 6.9 At paragraph 2.3.3 it states: *“Our objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with meeting our target to cut GHG emissions to net zero by 2050.....This will require a step change in the decarbonisation of our energy system”*.
- 6.10 Paragraph 2.3.4 continues: *“Meeting these objectives necessitates a significant amount of new energy infrastructure, both large nationally significant developments and small-scale developments determined at a local level. This includes the infrastructure needed to convert primary sources of energy (e.g. wind) into energy carriers (e.g. electricity or hydrogen), and to store and transport primary fuels and energy carriers into and around the country”* (our emphasis).
- 6.11 At paragraph 2.3.5 it states that although representing a record low, fossil fuels still accounted for just over 76 per cent of energy supply in 2020. It advises that there needs to be a dramatic increase in the volume of energy supplied from low carbon sources and reduction in the amount provided by fossil fuels.
- 6.12 Paragraph 3.2.6 states that the need to dramatically increase the volume of energy supplied from low carbon sources has been demonstrated, and that the need has also been demonstrated to be *“urgent”*.
- 6.13 At paragraph 3.3.25 the NPS sets out the importance of the role of electricity storage: *“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”*.
- 6.14 At paragraph 3.3.26 it continues: *“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. 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”*.
- 6.15 The benefits of storage are then set out at paragraph 3.2.7 in the NPS: *“Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent*

²⁰ Paragraph 1.2.1 of EN-1 states “In England, this NPS, in combination with any relevant technology specific NPSs, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)”.

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”.

- 6.16 Delivering low carbon and renewable energy infrastructure is a “critical national priority (CNP)”, the urgent need for which “will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible” (paragraph 3.3.63).
- 6.17 It follows therefore that the Proposed Development, in storing the critically needed low carbon and renewable energy, is similarly urgently required for both energy security and Net Zero. This functionality ought to be accorded significant weight in the planning balance.

National Planning Policy Framework (December 2023)

- 6.18 The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. At the heart of the NPPF is a presumption in favour of sustainable development. This means approving development proposals that accord with the Development Plan without delay (paragraph 11). The NPPF was revised on 20 July 2021 and sets out the Government’s planning policies for England and how these are expected to be applied.
- 6.19 The policies relevant and material to the determination of the Application are summarised below.

Section 6: Building a Strong Competitive Economy

- 6.20 Paragraph 88 states that in supporting a prosperous rural economy planning decisions should enable the development and diversification of agricultural and other land-based rural businesses.

Section 9: Promoting Sustainable Transport

- 6.21 Paragraph 114 requires that safe and suitable access to the site be achieved for all users and expects that any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.22 Paragraph 115 directs that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Section 11: Making Effective Use of Land

- 6.23 Paragraph 124(a) states that planning policies and decisions should “encourage multiple benefits from both urban and rural land, including through [...] taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation [...]”.

Section 12: Achieving Well-Designed Places and Beautiful Places

- 6.24 Paragraph 131 acknowledges that good design (high quality, beautiful and sustainable) is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.25 Paragraph 135 outlines that planning decisions should ensure that developments function well and add to the overall quality of the area over the lifetime of the development. They should be visually attractive as a result of good layout and appropriate and effective landscaping. Furthermore, they should be

sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change

6.26 Paragraph 157 identifies that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It states that it should shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, and support renewable and low carbon energy and associated infrastructure.

6.27 Paragraph 163 states that *“When determining planning applications for renewable and low carbon development, local planning authorities should:*

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions; and

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas”.

6.28 Paragraph 173 states that in determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment and it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Section 15: Conserving and Enhancing the Natural Environment

6.29 Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment, including by: protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; minimising impacts on and providing net gains for biodiversity; and preventing new development from causing, unacceptable levels of air or noise pollution.

- 6.30 In respect of best and most versatile agricultural land, the NPPF also clarifies at footnote 62 that “*Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*”.
- 6.31 Paragraph 186 sets out the principles that local planning authorities should apply with regard to habitats and biodiversity when determining planning applications including refusing applications where significant harm to biodiversity cannot be mitigated/compensated for; not permitting development on land that would have an adverse effect on a Site of Special Scientific Interest; refusing developments that result in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional circumstances; and encouraging opportunities to incorporate biodiversity improvements especially where this can secure measurable gains for biodiversity.
- 6.32 Paragraph 191 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so, they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

[Section 16: Conserving and Enhancing the Historic Environment](#)

- 6.33 Paragraph 200 states that in determining applications, local planning authorities should require the applicant to describe the significance of any heritage assets affected, including the contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 6.34 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

[National Planning Practice Guidance](#)

- 6.35 The National Planning Practice Guidance (NPPG) (established in 2016) sets out guidance on the planning system and should be read alongside the NPPF. It is subject to periodic updates.
- 6.36 The NPPG states that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable (Paragraph: 001 Reference ID: 5-001-20140306).
- 6.37 The NPPG was updated on 14 August 2023 to include a new section on Battery Energy Storage Systems within the “Planning for Renewable and Low Carbon Energy” section.
- 6.38 It represents the most up to date statement by Government on planning for Battery Energy Storage Systems, and by its inclusion in this section, confirms that the Government consider BESS an integral component of a renewable and low carbon energy electricity network.
- 6.39 Paragraph 032 Reference ID: 5-032-20230814 affirms this position by stating that “*Electricity storage can enable us to use energy more flexibly and decarbonise our energy system cost-effectively – for*

example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity.” This approach is entirely consistent with the Government’s strategy for decarbonising the UK’s electricity sector.

- 6.40 Paragraph 035 Reference ID: 5-035-20230814 requires local planning authorities to consult with their local fire and rescue service (FRS) as part of the formal period of public consultation prior to deciding a planning application, and to also consider guidance produced by the National Fire Chiefs Council (NFCC) (November 2022).
- 6.41 The NFCC guidance includes encouragement for early engagement with the local FRS.

7. The Planning Balance

7.1 This section of the PDAS provides an assessment of the Proposed Development in order to demonstrate how it has been influenced by and is compliant with relevant planning policy.

7.2 The key assessment topics in this section are as follows:

- Principle of Development;
- Landscape and Visual;
- Wildlife (including biodiversity net gain and arboriculture);
- Heritage;
- Use of Agricultural Land;
- Farm Diversification;
- Noise;
- Flood Risk and Drainage;
- Traffic and Access;
- Battery and Site Safety; and
- Green Belt.

7.3 The above topics have been influenced by a review of the local planning policy and comments received from the local community (including Kent Fire and Rescue Service (KFRS)) as part of the pre-application consultation process.

Principle of Development

7.4 The Proposed Development comprises a BESS to provide instantaneous energy balancing to the National Grid. The Proposed Development would enable the storage of electricity at times of low demand, which can then be deployed at times of higher demand, maximising the output of affordable renewable energy available on the Grid, whilst providing security of supply.

7.5 The declared national and Dartford Borough Climate Emergencies are recognised as significant material considerations in decision making and appeals (see APP/K1128/X/20/325613, APP/K1128/W/20/325623 appeal by Mr David Hollaway v South Hams District Council). As such, in April 2021 the SoS recognised that *‘the scale and urgency of the climate emergency is such that tackling climate change is a material consideration to which significant weight should be attached’* (see APP/V2255/W/19/323606 SoS Decision – Appeal by Quinn Estates Ltd and Mulberry Estates (Sittingbourne) v Swale Borough Council).

- 7.6 National Policy is strongly supportive of the Proposed Development as a means of meeting our increasing energy demands, tackling climate change and transitioning to a prosperous and low carbon economy. Privately funded, large scale energy storage such as the one proposed are recognised as being not just necessary, but central to meeting an urgent need.
- 7.7 The overarching NPS EN-1 confirms the requirement to dramatically increase the amount of renewable energy capacity and supports battery storage as a way of compensating for the intermittency of renewable energy generation.
- 7.8 Paragraph 158 of the NPPF is clear that there is no requirement to demonstrate the need for renewable energy development. The urgency of the need for substantially greater quantities of renewable energy (including storage) is self-evident in light of the recent dramatic step change in Government energy policy driven by its declared Climate Emergency to achieve a 100% reduction in greenhouse gas emission by 2050 (net zero). This is a legally binding target.
- 7.9 Dartford Borough Council declared their own Climate Emergency and have pledged to become carbon neutral by 2030. Thus the direction of travel is complimentary of national policy and legally binding targets. NPPF paragraph 152 states that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 157 goes on to state that determining planning applications, local planning authorities should expect new development to *'take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption'* with paragraph 158 concluding that when determining applications for renewable and low carbon development, local planning authorities should; *'recognise that even small-scale projects provide a valuable contribution to cutting greenhouse emissions'* and *'approve the application if its impacts are (or can be made) acceptable'*.
- 7.10 In terms of local planning policy, Strategic Policy S3 highlights the commitment of DBC to place the climate emergency as one of the central themes to tackle within their Local Plan. Policy S3 seeks to support development that is well located and mitigates to effect of climate change.
- 7.11 Policy M1 is concerned with good design whilst Policy M2 seeks to protect the natural environment and the amenity of residents and visitors to the Borough. Policy M3 is perhaps the most relevant Local Plan policy for this Application, with explicit reference to energy generation and storage, stating;

'In determining applications for energy storage or small and large scale low / zero carbon technology and installations, the economic and environmental benefits of the proposal will be weighed against the individual and cumulative impact of the development. Development will only be permitted in line with national policy and where the following factors have been satisfactorily taken into consideration where applicable;

- a. Minimising landscape impacts and impacts on ecology and agriculture;*
- b. Shadow flicker and glare;*
- c. Electronic and telecommunication interference / navigation and aviation issues; and*
- d. Ensuring installations are removed when no longer in used and land then restored.'*

- 7.12 Policy M12 is concerned with development within the green belt and should be read in conjunction with Policy M3. The Applicant accepts that the Proposed Development represents inappropriate

development within the green belt as per paragraphs 149 to 150 of the NPPF, thus very special circumstances must be demonstrated. This subject is addressed in detail at paragraph xx of this document.

- 7.13 Other pertinent Policies that are applicable to this Application are Policy M4 and M5 which are both concerned with the historic environment. The Site is located close to two SAMs and the surrounding area has been subject to several archaeological investigations due to the proximity of the SAMs. Trial trenching has been completed and concludes that the development would have minimal impact on archaeology. In addition, there is no limited intervisibility between the SAMs and the Site, thus limited harm is likely.
- 7.14 The Proposed Development is clearly a form of sustainable development, it contributes towards the transition to a net zero economy. The Proposed Development accords with Paragraph 11 of the NPPF and policies S3, M1, M2, M3 and M12 of The Dartford Plan.

Landscape and Visual

- 7.15 A Landscape and Visual Impact Assessment (LVIA) accompanies the Application at Document Ref: R003.
- 7.16 The Proposed Development's siting and design have been undertaken with a careful understanding of the Site and its context and the potential impacts on landscape and views. This has led to a Proposed Development which responds strongly to the existing landscape structure of the Site, as well as integrating the Proposed Development with the wider surrounding landscape. Section 4 of this PDAS sets out the design and access considerations that have led to this achievement. The proposed landscape and screen planting (and wildlife proposals) are shown on the Landscape Strategy plan submitted with the Application (see Document Ref: LS01).
- 7.17 The LVIA concludes that; *'the overall significance of the landscape effect with regard to the proposed scheme is considered to represent a Moderate to Slight Adverse effect locally, with limited harm to the wider character of the area'*.
- 7.18 The Site and wider environs are well served by existing vegetation including significant blocks woodland. Structural vegetation to the boundaries of both the northern and southern land parcels already provide good levels of screening; these areas will be further bolstered as part of the landscape proposals.
- 7.19 Further landscaping proposals include:

Northern Land Parcel

- Woodland buffer to the north east;
- Wildflower meadow planting centrally.
- Bolstering of existing hedgerows along all boundaries.

Southern Land Parcel

- Woodland buffer to the east to screen views from the more open setting of the east.

- Enhanced boundary vegetation to screen views from the south, particularly users of Station Road.

7.20 The Proposed Development is considered to be acceptable from a landscape perspective due to its compliance with the NPPF and Policy M14 of The Dartford Plan.

Wildlife, Biodiversity Net Gain and Arboriculture

7.21 An Ecological Assessment (ECIA – Document Ref: R004), Biodiversity Net Gain (BNG – Document Ref: R008) Calculation and report accompany the Application and consider the impact of the Proposed Development on the existing wildlife of the Site .

7.22 The Site does not contain any statutory designated ecological sites but there is one nationally designated site (Swanscombe Peninsula SSSI) within 2km of the Site (450m). The SSSI was designated due to there being breeding bird assemblages, invertebrate assemblages and populations of diverse plant habitats. The ECIA confirms that the Proposed Development will have no impact on the SSSI.

7.23 A further non-statutory designated site, Ebbsfleet Marshes Local Wildlife Site (LWS), is located approximately 170m to the north. The ECIA confirms that the Proposed Development will have no impact on the LWS.

7.24 Both land parcels currently accommodate limited priority habitat. The majority of both parcels are covered with species poor permanent pasture land. The proposed Landscape Strategy, and BNG commitment will considerably improve the quality of the habitat in both land parcels.

7.25 The potential for the presence of protected species including bats, badger, and nesting/breeding birds has been identified within the Site. Any residual impacts are minimal and unlikely to be ecologically significant or have a negative effect on conservation status of any habitat or species identified. Timing restrictions and precautionary working methods outlined within the ECIA address any predicted impacts to protected species during works. In the event planning permission is granted it is anticipated that this will be subject to a planning condition requiring the submission and approval of a Construction Environmental Management Plan (CEMP – Document Ref: R015), prior to construction commencing, which would include the timing restrictions and precautionary working methods in the ECIA (Document Ref: R004).

7.26 The proposed habitat creation measures that will enhance the Site for wildlife are shown on the Landscape Strategy Plan and summarised below:

- Planting of native hedge and hedgerow trees;
- Planting of species rich wildflower grassland;
- Infilling of gaps within the existing hedge with native hedge and hedgerow trees; and
- Planting of native trees and understorey;

Biodiversity Net Gain

- 7.27 The Proposed Development, as provided for in the Landscape Strategy, would deliver an increase in the habitat biodiversity value of the Site of approximately 13% and in the linear habitat (hedgerow) biodiversity value of the Site of approximately 29.07%, which satisfies and goes beyond the legal requirement for a minimum of 10% biodiversity net gain.

Arboricultural Impact

- 7.28 An Arboricultural Impact Assessment (AIA) (Document ref. R012) accompanies the Application.
- 7.29 Most trees within both land parcels are relatively young with boundary vegetation becoming well established. A single walnut tree (T24) found in the southern portion of the southern land parcel represents the only tree that has the potential to become a prominent feature within the landscape.
- 7.30 The Proposed Development will involve the removal of one individual tree and parts of two groups of trees and a small area of low scrub and hawthorn. Removal of these features is to enable access into the two land parcels. T6 is a category B Lombardy poplar growing on the north side of Station Road and will be removed along with c. 20m of hedgerow / scrub and hawthorn (G5).
- 7.31 Smaller sections of G8 (C. 10m) and SG2 are also to be removed to enable the Proposed Development to be accessed and constructed safely. G8 contains some tightly spaced oak and cherry trees and SG2 is made up of self-seeded hawthorn and blackthorn, neither group hold any intrinsic arboricultural value.
- 7.32 Retained trees will be robustly protected during construction with only one tree (T24) having the potential for incursion into the RPA area. Heras Fencing will be used to detail the Root Protection Area (RPA) of this tree, with construction activities avoiding this area, thus protecting the full extent of the RPA.
- 7.33 The AIA concludes that there is minimal surgery / removal required and that construction working methods will ensure no harm occurs to trees or hedgerows during and post construction.

Heritage

- 7.34 A desk based assessment confirmed that there are two SAMs adjacent to the Site; both associated with Vagniacae (Springhead) Iron Age and Roman religious centre and town. Due to the proximity of the SAMs, detailed and extensive pre-application work was undertaken, including a geo-physical survey and subsequent trial trenching.
- 7.35 The findings of which are detailed in the Trial Trenching Report (RO10) that accompanies this Application, however the report concludes that the Proposed Development would have no impact on archaeology.
- 7.36 The Site itself contains no designated or non-designated heritage assets and there are no listed buildings within close proximity.

- 7.37 The Proposed Development is therefore supported by the NPPF and Policies M5 and M6 of the Dartford Plan.

Use of Agricultural Land

- 7.38 An Agricultural Land Classification survey has been conducted and is included in the Application pack (Document Ref: R011). The land in question is confirmed as being Grade 2.
- 7.39 Although the land is classified as Best and Most Versatile (BMV), the loss of such land is minimal and when weighed against the positive contribution the Proposed Development makes to the climate agenda within the UK, the loss is considered acceptable. This is echoed within the Government's commitment to remove much of footnote 65 of the NPPF.

Farm Diversification

- 7.40 Due to the relatively low and unpredictable income from farming, many farmers have had to diversify to secure an economically sustainable profit. Farm diversification is broadly defined as "*the entrepreneurial use of farm resources for a non-agricultural purpose for commercial gain*". Hence, diversification reflects the reduced dependence of farmers on agriculture as a source of income. Diversification also implies entrepreneurial activity on behalf of the farmer.
- 7.41 The additional income generated by the Proposed Development will help to secure the farming business. Furthermore the Applicant is committed to using local suppliers and contractors where possible during the construction phase, further injecting direct and indirect income into the local economy.
- 7.42 Farming businesses play a vital role in the rural economy, particularly supporting the agricultural supply chain including feed merchants, machinery sales etc. The Proposed Development would help to support the local agricultural supply chain via the additional income it provides to the farming business.
- 7.43 Supporting the delivery of renewable energy, including through battery storage facilities, is an important form of farm diversification, recognised by the National Farmers Union (NFU) as a significant step towards making British agriculture carbon neutral within two decades. As farming is responsible for around a tenth of the UK greenhouse gas emissions, supporting renewable energy/battery storage farm diversification projects is a vital step to reaching Net Zero by 2050.
- 7.44 The Proposed Development is therefore supported by NPPF paragraph 84. It is noted that the Dartford Plan does not have a dedicated policy regarding farm diversification.

Noise

- 7.45 A Noise Impact Assessment has been prepared and accompanies the Application. The assessment considers the potential noise generation from the equipment associated with the Proposed Development, with respect to existing sound levels in the area. The assessment methodology contained in British Standard 4142:2014+A1:2019 Method for rating and assessing industrial and commercial sound has been used.
- 7.46 The assessment identifies that noise levels from the proposed development during all operational periods are unlikely to exceed the typical background sound level at any of the surrounding receptors,

this indicates that noise from the Proposed Development would have a low likelihood of resulting in adverse impacts. Please see document ref. R016 Noise Impact Assessment (NIA).

7.47 Consequently, the Proposed Development is in accordance with NPPF.

Flood Risk and Surface Water Drainage

7.48 A Flood Risk Assessment (FRA) and Drainage Strategy (Document Ref: R018) has been prepared and accompanies the Application. Its overall findings are set out below.

7.49 The Environment Agency's (EA) flood map for planning indicates that the Site is located within Flood Zone 1 (low risk).

7.50 The EA's surface water map identifies that the majority of the Site has a very low risk of flooding from surface water

7.51 The Site has a medium / low risk of groundwater and sewer flooding.

7.52 Given the existing topographical layout of the Site, there is a small risk of low lying areas flooding due to ground water, as part of this Application, earthworks are proposed to increase the height of certain areas within the Site to remove the possibility of ground water flooding. Please see the Hydrogeological Report with the accompanying Earthworks Plan.

7.53 As such the Proposed Development accords with the NPPF and Policy M4 of The Dartford Plan.

Traffic and Access

7.54 A Transport Statement (TS – Document Ref: R014) and Outline Construction Traffic Management Plan (CTMP – Document Ref: R015) have been prepared and accompany the Application. These provide an overview of the potential effects of the Proposed Development in transport terms and also detail the proposed Site access points, construction vehicle routing to/ from the strategic highway network, construction vehicle trip generation and proposed mitigation measures.

7.55 The Transport Statement concludes the Site is in a suitable location for the Proposed Development in terms of transport. Its location close to the strategic road network (A2) will facilitate the movement of construction vehicles to and from the Site without causing harm to existing road users and residents.

7.56 Access to both land parcels will be gained via Station Road. This access will serve vehicles associated with the construction and operational phases of the Proposed Development. The existing accesses will be widened and made appropriate for construction vehicle access. Two secondary emergency access, also off Station Road will be provided. This access point will only be used in case of emergency.

7.57 The proposed accesses have been designed to ensure the safety of all users and presented in Document Ref: R001 Application Document and Drawing Schedule.

7.58 The construction vehicles will route from the A2 to Station Road and into either land parcel.

- 7.59 During the construction period it is expected that there would be an average of just two construction vehicle deliveries per day and 10 arrivals/ departures by construction workers.
- 7.60 Once operational, maintenance vehicles (likely to be a transit van or similar) would visit the Site approximately once every two weeks. Space would be available within the Site for such a vehicle to turn around to ensure that reversing will not occur onto the highway.
- 7.61 It is concluded that construction and operational traffic associated with the Proposed Development would not have a material impact on the safety or operation of the local highway network. Mitigation measures have been proposed to further minimise impact from resulting construction activities on the local road network and are in the CTMP.
- 7.62 In the event planning permission is granted it is envisaged that a Final CTMP, based on the principles set out in the Outline CTMP, would be agreed with HDC in consultation with Kent County Council (as Highway Authority) prior to construction commencing.
- 7.63 Overall, the Proposed Development is considered acceptable in traffic and access terms and meets the requirements of the NPPF and Policy M15 of The Dartford Plan.

Battery and Site Safety

- 7.64 During the pre-application consultation exercise, concerns were expressed by some of the local community regarding the safety record of BESS facilities from a perspective of fire risk. Further detail is provided in the Site Safety Plan at Document Ref: R020.
- 7.65 To date there has only been a single BESS fire in the UK, UK BESSs having first been operational in 2006.
- 7.66 To further contextualise the safety record of UK BESS installations, recourse to the Department for Energy Security and Net Zero (DESNZ), Renewable Energy Planning Database, dated July 2023 and published 8 August 2023 is made. This database provides concise information on all UK BESS in operation, when they were commissioned and how long they have been operational. The following salient points are clear:
- As of July 2023, there are 92 BESS sites in operation across the UK;
 - The total energy capable of being stored is estimated at 1580MW (1.58GW);
 - Since 2006 UK based BESS have operated for approximately 4.8 million hours (data details 4,729,560 hours) which is equivalent to 548 years of operation;
 - There has currently been only one reported UK BESS fire that required FRS attendance, this occurred at Carnegie Road, Liverpool in September 2020. The fire was contained and there was no 3rd party collateral damage or injury to firefighters or the public;
 - This equates to 2.11E-07 (0.000000211) failures per hour (fph) for BESS fires in the UK, which aligns with Health and Safety Executive (HSE) expectations and an acceptable level of risk as detailed in the HSE publication 'Reducing Risk Protecting People' (R2P2);

- To date nobody in the UK has been harmed in a BESS incident, be this an operator or a member of the public;
- No 3rd party property has been affected by a UK BESS incident; and
- No adverse environmental incidents have resulted from a UK BESS incident.

7.67 There can also be a misunderstanding that a BESS is a hazardous facility and as such requires a separate Hazardous Substance Consent in addition to planning permission.

7.68 A BESS is not a hazardous facility as classified under the Planning (Hazardous Substances) Regulations 2015, Part 2 Regulation 3 refers. Hazardous substances are defined as those substances, mixtures or preparations falling within Schedule 1 of the 2015 Regulations. Lithium-ion batteries (of any chemistry) are not listed in Schedule 1 of the Regulations.

7.69 Lastly, and importantly, other regulatory regimes operate in this field to ensure the safe operation of BESS installations. National policy is clear that the focus of planning decisions should be on whether a proposal is an acceptable use of land, rather than the control of processes where these are subject to separate regimes. Planning decisions should assume that these regimes will operate effectively.

7.70 Notwithstanding this, the Applicant supports the imposition of a planning condition on any issued planning permission requiring the submission and approval by the Council, in consultation with the KFRS, of a Battery Safety Management Plan:

“Development of the battery storage compound shall not commence until a Battery Safety Management Plan (BSMP) has been submitted to and approved in writing by the Local Planning Authority. The BSMP must prescribe for measures for facility safety during the construction, operation and decommissioning of the battery storage facility, including the transport of new, used and replacement battery cells both to and from the authorised development. The Local Planning Authority must consult with Suffolk Fire and Rescue Service before approving the BSMP. The BSMP must be implemented as approved.”

Green Belt

7.71 The Applicant acknowledges that the Proposed Development is considered to be ‘inappropriate development’ by virtue of it being located within the green belt. The Applicant must therefore demonstrate that very special circumstances exist that allow a deviation from the protection of the green belt. The Applicant opines that the Proposed Development’s link to the climate emergency provides the required justification for development at this location.

7.72 Paragraph 156 of the NPPF states that elements of many renewable energy projects will comprise inappropriate development but not that renewable energy projects per se constitute inappropriate development. As such, it can be considered that the compatibility of individual projects in the green belt are to be judged on their individual merits and circumstances. For the Proposed Development, it comprises a battery storage project covering a limited area of green belt land, it is a temporary permission (40 years) and the land will be returned to agricultural use upon cessation of its use and the cable route (which has the largest land take of all the projects components) is underground and will have no impact on the green belt setting in any respect.

7.73 Whilst It can be accepted that the operational elements of the Proposed Development could be considered inappropriate development, it is important to note that such development has been allowed with the green belt on the basis that need outweighs any presumption against the development having regard to the location and circumstances of the particular site (see Appeal Ref. APP/T3725/W/23/3317247). Such circumstances are equally applicable here and for the following reasons, the Applicant considers that very special circumstances arise in regard to the form of development proposed.

Impact on the Openness of the Green Belt

7.74 Retaining openness is one of the fundamental aims of the green belt, with openness being defined as being the absence of built form. The Proposed Development is located amongst other forms of modern industrial and commercial development. Millbrook Garden Centre is located directly adjacent to the Proposed Development. The garden centre and its associated car park have permanently changed the character of the immediate locality and reduced the openness of the green belt at this location. Additionally, the neighbouring recycling facility further reduces the openness and introduces a form of industrial development into the green belt. Therefore, the Proposed Development occupies a position with the green belt that has limited function.

7.75 Furthermore, the openness of the green belt in this location is further eroded by the pylons and overhead lines associated with the National Grid Substation located on the opposing side of the A2. This electrical paraphernalia has permanently changed the character of the area and introduced another form of industrial / infrastructure development within the green belt, thus reducing its openness.

7.76 The LVIA (Document Ref: R003) that accompanies this application offers a similar conclusion i.e. that the Proposed Development can be accommodated at this location with minimal landscape or green belt harm. Although not a green belt concern, the impact of the Proposed Development on the general landscape of the area is an important consideration when assessing harm, due to ability of the landscape to accommodate the development, without having a substantial negative visual effect. The LVIA highlights the existing built environment that surrounds the Site, thus it confirms that the openness of the green belt in this location has already been compromised.

Very Special Circumstances

7.77 It is considered that there are very special circumstances which outweigh the limited harm arising from the Proposed Development and the Applicant would point to the following considerations that must be weighed into the planning balance for development within this green belt location:

- The surrounding land use and limitation to the openness of the green belt in this location – the openness of the green belt at this location has already diminished due to existing and planned commercial and industrial development.
- The temporary and reversible nature of the Proposed Development – this Application seeks a 40 year operational permission, after which the Site will be returned to agricultural use (its current use). The Site will not become brownfield upon cessation of energy generation.

- Carbon saving – when fully operational, the Proposed Development will have the capacity to store and export up to 300MW of electricity, this is equivalent to saving 40,500 tonnes of CO2 emissions from gas fired power stations.
- The need for new renewable energy generation and storage and its role in meeting the challenge of climate change;
- Supporting energy independence and lower the energy costs to the consumer – With reference to the schedule of national policy that underpins the Governments Net Zero strategy, key amongst them is Powering Up Britain – Energy Security Plan (March 2023) in which energy security is seen as being driven by greater reliance on renewables, a lessening of imported fossil fuels and consequently, greatly stability in pricing.
- Proximity to the point of connection – Recent appeal decisions have emphasised that the catchment area should be appropriate to the spare grid capacity at the relevant substation bearing in mind the limited opportunities that current exist for grid connections nationally. An appeal decision in 2023 relating to the Leeming Substation (Appeal Ref. APP/G2717/W/23/3315877) emphasised that the catchment area should be appropriate to the spare grid capacity whilst an inspector in regard to an appeal in Hampshire in 2021 attributed significant weight to locational factors, being the providing of access to unrestricted network capacity, proximity to a financially viable access to the National Grid and point of connection, availability of suitable land and the proximity of the point of access to the highway network.

Thus battery storage projects need to be in close proximity to the PoC / sources of demand and making use of any existing infrastructure (in this case the spare capacity at the National Grid Substation) wherever possible is an important material consideration.

- Wider environmental benefits including the proposed BNG – although the Site has been assessed as being Grade 2 from an ALC perspective, historical use of the land has been for occasional grazing and for temporary commercial uses (circus, car-boot sale). Both land parcels contain poor quality semi-improved grassland – once the Landscaping Strategy has been implemented, the improvement to the BNG will be considerable (habitat creation 13% increase, hedgerow creation 29.7% increase).

8. Conclusion

- 8.1 For the reasons outlined in this PDAS, it is considered that the Proposed Development is in accordance with the relevant planning policies and guidance at both national and local levels.
- 8.2 The Proposed Development represents a clear form of sustainable development, storing energy and helping reduce carbon emissions which are required to meet the legally binding Net Zero 2050 target and also to decarbonise the electricity network by 2035. This should be afforded significant weight in the planning balance.
- 8.3 The Proposed Development would also provide urgently needed low carbon energy to consumers and increased network flexibility in accordance with the Government's policy to address energy security and provide affordable energy. This too should be afforded substantial weight.
- 8.4 The Proposed Development will provide significant biodiversity enhancements (13% net gain in habitat units and 29.07% net gain in hedgerow units) and provide socio-economic benefits from farm diversification.
- 8.5 The Proposed Development has no unacceptable impacts on landscape, visual amenity, heritage, noise, wildlife and trees, flood risk and highways. All these matters should be afforded substantial weight in favour of granting planning permission.
- 8.6 The Applicant contends that very special circumstances for development of this Site within the green belt do exist. The openness of the green belt in this location has already been diminished by the existing commercial and industrial uses the bound the Site. Thus, it is concluded that the benefits of the Proposed Development significantly outweigh any perceived negligible harm that may occur.
- 8.7 In summary, based on the Proposed Development and assessments undertaken, the Site is deemed suitable for a development of this nature in terms of planning policy and material considerations and planning permission should be granted.