

Delegated Report

Planning Application

Planning Application No: 20250071

Location: Land At Thames Way Northfleet Gravesend

Description: Request for a screening opinion in accordance with The Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 in respect of an EIA Screening Opinion to determine whether a proposed Battery Energy Storage System (BESS) located on land at Thames Way, Northfleet, DA11 8HN constitutes EIA development.

Applicant: Speedgreen Ltd

Site Visit Date: Not required for a screening opinion application

Proposal

This application comprises a request for a screening opinion in respect of whether a proposed Battery Energy Storage System (BESS) located on land at Thames Way, Northfleet, DA11 8HN constitutes EIA development.

BESS are vital components in the UK electricity grid to facilitate this decarbonisation. BESS enable the electricity transmission network to be resilient and stable as it transitions from being heavily dependent on centralised fossil fuel power stations to large scale renewable energy sources, matching intermittent weather dependent wind and solar energy generation with continuously fluctuating consumer demand.

BESS technology achieves this by storing excess energy available on the power system when supply outstrips the demand, such as at times of high solar radiance levels or high winds, for use at a later point in time when the converse happens i.e. demand outstrips supply. At the moment, this system balancing is achieved by turning off (curtailing) renewable energy generation when supply outstrips demand, and turning on gas-fired power stations when demand outstrips supply.

The proposed development, as a BESS facility, is to contribute towards supporting the UK's transition to Net Zero by 2050, and support decarbonisation of the energy power system. The proposed development would have the capacity to store and export up to 100 MWh of energy.

Submitted Documents/Plans

Screening Opinion Covering Letter from Speed Green Local Energy;
Appendix One – Site Location Plan;
Appendix Two – Battery Storage System;
NFCC Grid Scale Battery Energy Storage System Planning – Guidance for FRS;
Appeal Decision – APP/V2255/3343902;
Example Screening Assessment; and
Screening Response Questions.

Relevant Planning History

None.

Consultations, Publicity and Representations

Consultees

External

KCC Flood and Water Management

Kent County Council as Lead Local Flood Authority have reviewed the Letter dated 27 January 2025 and have the following comments to provide:

We understand from the document that the planning application will be accompanied by a Flood Risk Assessment and Surface Water Management Plan. The LLFA are satisfied for drainage considerations to be provided at that stage.

We note that the site is located in a groundwater Source Protection Zone 1 and within Flood Zone 3. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in this area that may impact the proposed SuDs methods.

Further to this, please note, for the future design of the drainage strategy, as of the 10th of May 2022, the Environment Agency's climate change allowances have been updated. As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage schemes. The LLFA would now seek the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found at the following link: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Port of London Authority

Thank you for consulting the Port of London Authority (PLA) on the above-mentioned request for an EIA Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment - EIA) Regulations 2017 (as amended), to determine whether a proposed Battery Energy Storage System (BESS) located on land at Thames Way, Northfleet constitutes EIA development. I have now had the opportunity to review the submitted documents and can confirm that with the above regulations in mind the PLA has no comments to make on the screening assessment provided as part of the application, which concludes that the characteristics of the development are unlikely to have the potential for 'significant' environmental effects and thus would not constitute EIA development.

HSE

Thank you for your EIA scoping opinion request for any comments regarding 20250071 dated 04/02/2025 for the Battery Energy Storage System (BESS) located on land at Thames Way, Northfleet, DA11 8HN constitutes EIA development.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Regulation 4(4)

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the vulnerability of the proposed development to major accidents relevant to the development
HSE's response is limited to our role in the land use planning system for the control of major industrial hazards involving hazardous substances.

HSE is not responding in our regulatory role in the health and safety system

1. The proposed development, being a Battery Energy Storage System, is not a development type that would store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Planning (Hazardous Substances) Regulations 2015.

2. The development is not located within a safeguarding zone of an Explosives site licensed under the

Explosives regulations 2014 or the Dangerous goods in harbour area regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for major-accident-hazard pipelines and hazardous substances consented sites (licensed explosives sites are covered in the previous paragraph).

Due to the above 3 points, there appears to be no need to consult HSE.

4. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

5. General health and safety at work

HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

Kent Fire and Rescue

Subject to suitable details being provided that indicate sufficient fire service access is provided to the site and that any necessary fire precaution measures are to be implemented into the design there would be no objections to this site.

Natural England

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

It is Natural England's advice, on the basis of the material supplied with the consultation, that the proposed development has potential likely significant effects on statutorily designated nature conservation sites or landscapes and further consideration is required.

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of 'environmental sensitivity'.

The proposed development is located within/partly within or has the potential for adverse effects on the following designated nature conservation sites or designated landscapes:

- Swanscombe Peninsula Site of Special Scientific Interest (SSSI)

Natural England has not assessed the significance of any impacts on these designated sites or landscapes. The proposed development may therefore be likely to have significant effects on the interest features for which these sites are notified or the purposes of designation and we advise you to consider further whether an Environmental Impact Assessment (EIA) is required.

Should you decide that an EIA is not required, Natural England advises that sufficient information on the potential impacts of this proposal upon these designated sites/areas is submitted with any subsequent planning application. We would be pleased to discuss this further with the applicant through our Discretionary Advice Service.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your

authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation or compensation measures can be put in place. Further information is included in Natural England's standing advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that this response relates only to the EIA screening consultation. Natural England may wish to provide advice should your authority consult us on any subsequent planning application and associated environmental assessments.

Internal

GBC – Environmental Protection

The main application details for this proposal have already been reviewed and commented on. In this respect, air quality and noise are not deemed to be an issue. This is based on the findings of the Transport Assessment (air quality) and the submitted noise impact assessment. Land contamination documents have also been submitted but unfortunately these are not available for review. However, it is anticipated that if there are any contamination issues associated with the site, these can be addressed by way of conditions.

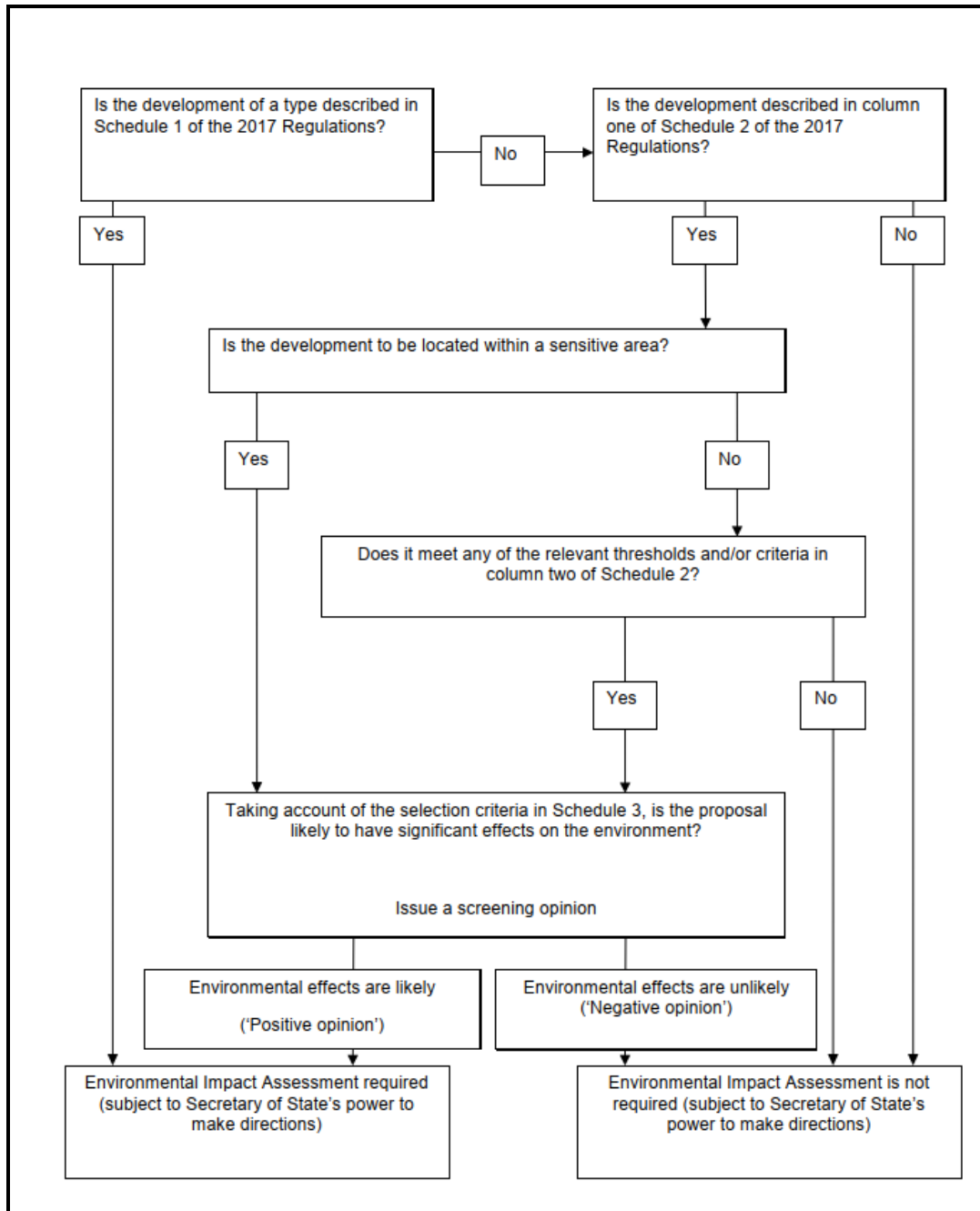
Based on this, if an EIA is undertaken, air, quality, noise and contaminated land can be scoped out.

Neighbouring properties

Not required for a screening opinion.

Procedure

The below flowchart shows how Environmental Screening opinions should be assessed:



Officer's Analysis

The relevant regulations to consider the screening request against is the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (herein after referred to as the Regulations, 2017).

The Council needs to consider if the proposed development is either Schedule 1 or Schedule 2 development and if so whether the development is likely to have a significant effect on the environment and therefore requires an assessment.

Schedule 1

The proposal does not fall within Schedule 1 of the Regulations (2017) that would require mandatory Environmental Impact Assessment (EIA).

Schedule 2

Schedule 2 development” as defined in the Regulations (2017) is Development of a description mentioned in Column 1 of the table in Schedule 2 where:

- a. any part of that development is to be carried out in a sensitive area; or
- b. any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met.

In this case, the proposed development subject of this screening request falls within part 3(a) of schedule 2 'Industrial installations of the production of electricity, steam and hot water (unless included in Schedule 1) for carrying gas, steam and hot water and is within the applicant threshold/criteria of exceeding 0.5 hectare (0.5 hectares total).

The proposal therefore needs to be screened to determine whether significant effects on the environment are likely and whether an EIA is required.

Sensitive areas are defined in Regulation 2 of the 2011 Regulations as any of the following -

- (a) a site of special scientific interest (SSSI);
- (b) a National Park;
- (c) the Broads;
- (d) a property appearing on the World Heritage List;
- (e) a scheduled monument;
- (f) an area of outstanding natural beauty;
- (g) a European site within the meaning of regulation 8 of the Conservation of Habitats and Species Regulations 2010.

Schedule 3 Screening Criteria

Schedule 3 of the Regulations (2017) sets out the selection criteria for screening which are:

Characteristics of development

1. The characteristics of development must be considered with particular regard to—
 - (a) the size and design of the whole development;
 - (b) cumulation with other existing development and/or approved development;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
 - (g) the risks to human health (for example, due to water contamination or air pollution).

Location of development

2.—(1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following
- (d) areas—

- (i) wetlands, riparian areas, river mouths;
- (ii) coastal zones and the marine environment;
- (iii) mountain and forest areas;
- (iv) nature reserves and parks;
- (v) European sites and other areas classified or protected under national legislation;
- (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
- (vii) densely populated areas;
- (viii) landscapes and sites of historical, cultural or archaeological significance.

Types and characteristics of the potential impact

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

Assessment

To ensure this is all carefully considered, where relevant, the Government provide an Environmental impact assessment screening checklist which they state can be used when screening for EIA although there is no obligation. This has been undertaken and is attached as appendix 1.

Conclusion

Having assessed the available evidence it is the Local Planning Authority's opinion that the proposal is not EIA development and that accordingly an Environmental Statement is not required to accompany a planning application.

Given the nature of the development, the location and non-sensitivity of the area, it is considered that the proposal would be unlikely to have a significant impact on the environment. Gravesham Borough Council therefore concludes that the development is not EIA development and that an EIA is not required.

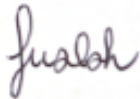
The Council like to emphasise that prior to the submission of a formal planning application, the applicant must engage should with Kent Fire and Rescue Service. The development must comply with the requirements set out in the National Fire Chiefs Council Guidance for Fire and Rescue Services for Grid Scale Battery Energy Storage System Planning. The details of which can be found below;

<https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf>

Recommendation

Environmental Impact Assessment is not required.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Mrs Faye Walsh
Signed:	<i>A Cue</i>	Signed:	
Dated:	16 th May 2025	Dated:	16 May 2025