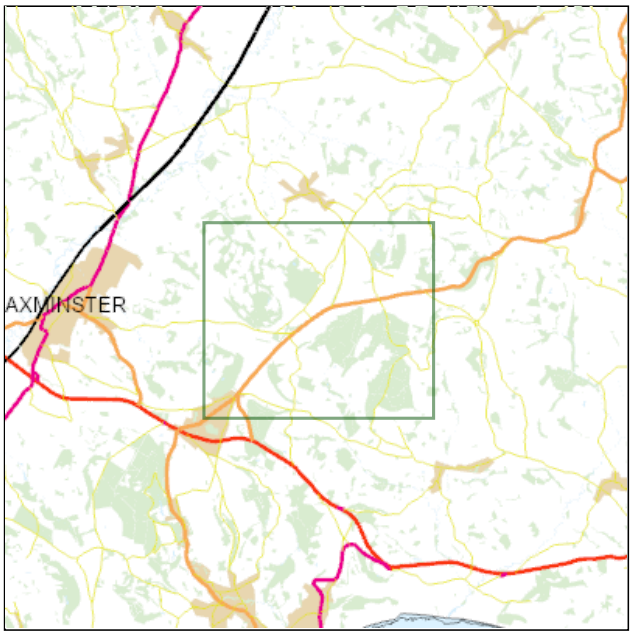
Ward Axminster

Reference 24/0096/MFUL

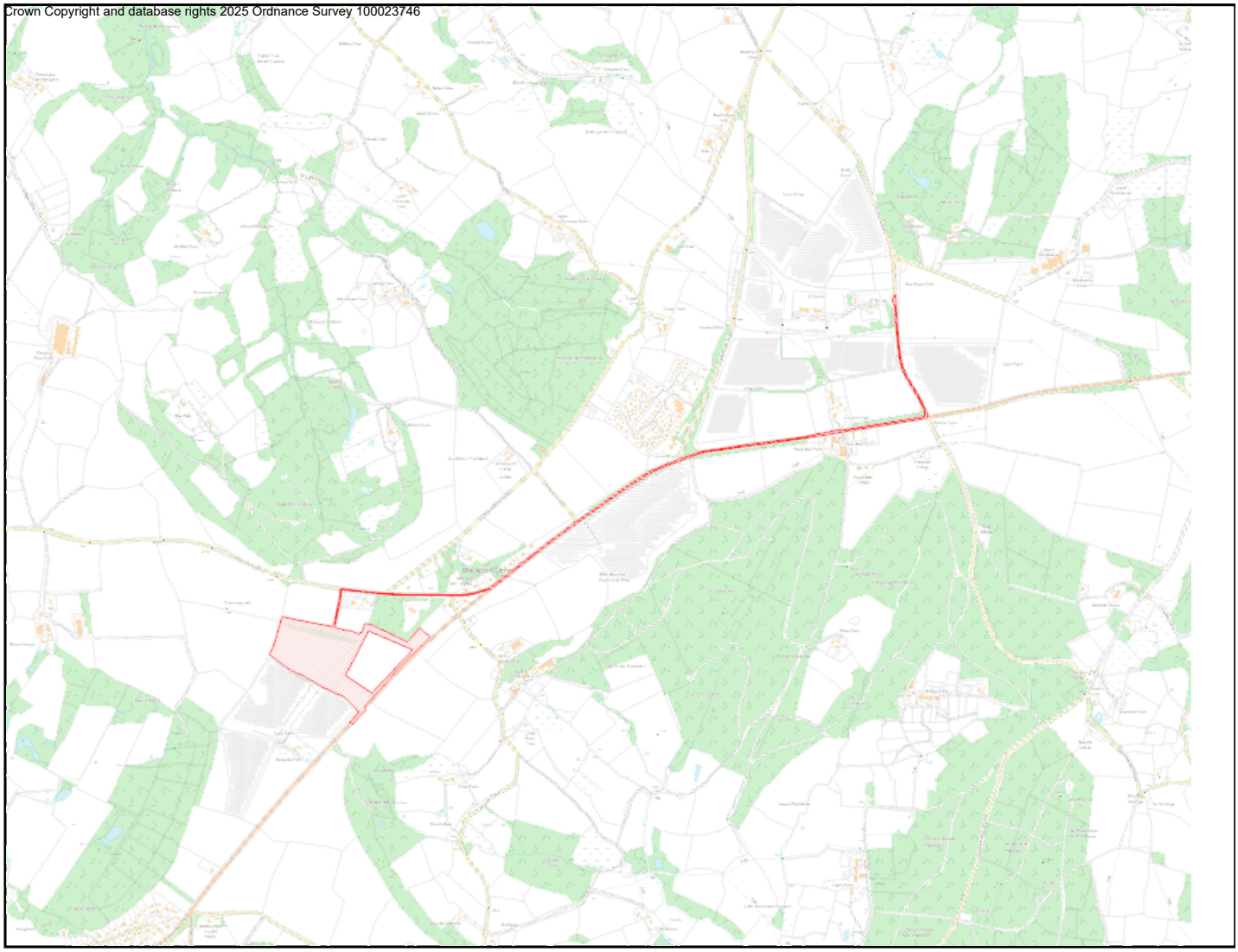
Applicant Clearstone Energy

Location Land Just South Of Hazelhurst Raymonds Hill Axminster

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



RECOMMENDATION: Approval with conditions



		Committee Date: 13.05.2025	
Axminster (Axminster)	**24/0096/MFUL**		**Target Date: 11.09.2024**
Applicant:	**Clearstone Energy**		
Location:	**Land Just South Of Hazelhurst Raymonds Hill**		
Proposal:	**Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements.**		

RECOMMENDATION: **Approval with conditions**

EXECUTIVE SUMMARY

The application must be considered by the Planning Committee because the officer recommendation differs from one of the Ward Members concerned.

Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is echoed in paragraph 11(c) of the NPPF.

Bearing in mind the nearby energy infrastructure and the proposal is a low carbon project the proposal would accord with Strategy 39 of the Local Plan in this particular regard.

The site is not very exposed to public views, being set back from the main access points and as such, while a change in the character of the site would result from the development, this would be localised and without significant detriment to the wider landscape. Landscaping is proposed to further mitigate the local visual effects. The proposal accords with Strategies 39 and 46, and policies D1 of the Local Plan in this respect.

The proposals meet the requirements of the NFCC guidance, or where it is not that departure from the guidance is justified with evidence that satisfies the DSFRS. The proposal therefore complies with Strategy 39 and policy EN14 of the Local Plan.

Sufficient evidence is provided to be certain that the development would not harm local biodiversity interests, subject to appropriate planning conditions, and

that the requisite BNG can be achieved, complying with policy EN5 of the Local Plan.

There are no highway objections to the scheme in conformity with policy TC2 of the Local Plan. Nor is the development going to lead to the loss of BMV agricultural land so there is no conflict with policy EN13 of the Local Plan.

The benefits of the scheme are set out in the preceding sections but are in the main around reduction in carbon dioxide emissions powering the grid and therefore helping lessen climate change, reducing energy prices for consumers and reducing reliance on less secure forms of energy generation. These are all significant benefits and carry significant weight in the planning balance. There would be some limited economic benefits from its construction also. It is therefore recommended that permission is granted.

CONSULTATIONS

Local Consultations

Axminster - Cllr Paul Hayward
4/3/25
I regret that I am still opposed to this application. Others have commented in far more eloquent terms than I but I share their concerns and worries about this development.

Axminster - Cllr Paul Hayward
7/8/24

OBJECTION LODGED.

24/0096/MFUL | Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements. | Land Just South Of Hazelhurst Raymonds Hill Axminster

Cllr. Paul Hayward - Ward member consultee comments:

I am grateful to the applicant, and their agent, for the comprehensive portfolio of reports, documents, plans and supplementary papers provided with this application.

Furthermore, I am aware of the strategies and policies within the existing EDDC Local Plan which provide direction and guidance to our planning officers in relation to 'green' infrastructure projects proposed for the district of East Devon and the nationwide need for the UK to bring generating capacity 'on-line' to prevent power shortages and to stabilise the cost of electricity in the UK as a whole.

My observations are set out below:

FIRE:

Several similar applications have been considered by the Planning Committee (and the Planning Inspectorate) in the adjacent parish of Hawkchurch in recent years. The last application considered ' 24/0276/FUL (Land west of Wareham Road) outlined the risks from a fire incident and ' on balance ' felt that (even with the fire suppression and detection equipment to be installed) the risks from a 'thermal runaway' type fire outweighed the 'green-energy' benefits of the scheme. While I readily acknowledge the efforts the applicant for 24/0096/MFUL has made to reduce the risks from such an event, the risks still remain, and so the same concerns raised by me when Yarty ward member to similar schemes in Hawkchurch parish still remain valid and pertinent.

WATER:

The applicant has provided a thorough analysis of the water reservoirs proposed for the site but there appears to be a difference of opinion (and I readily accept that my technical understanding of the specifics is not as sharp as that put forward by the paid experts) in whether a fire event would be tackled using water, or by some alternate method ' foam, powder, Halon, CO2 etc.

If the use of water to extinguish such a fire is being mooted, then I am concerned that the quantity of water proposed to be stored on site in case of such a fire is woefully inadequate, and that if the on-site supply is depleted, then huge volumes will need to be transported into the site at the point where the risk is highest ' ie during the actual thermal event. Almost all of our local firefighters are retained, and their equipment is generally designed to dealing with smaller vehicle, residential, agricultural fires ' not a conflagration akin to a large industrial blaze.

Furthermore, the application makes reference to a 'bund' which would capture any contaminated run-off before it had the opportunity to leach into the groundwater aquifers nearby. But, if the volume and design of that containment measure is predicated on the volume of water to be similarly stored on site, then an increase in one would therefore require an increase in the latter ' and that presumably is built at point of site commissioning and cannot readily be increased in size or capacity. Additionally, how would such a bund deal with large volumes of rain water ' which presumably would sit in stasis pending evaporation or manual release? And finally, how would such containment deal with water saturated in the potential contaminants created by such a fire which ' I believe ' could well be acidic and extremely toxic? My apologies for these technical queries but I cannot readily see the 'layman's' answers within the application documents.

ENVIRONMENT:

The proposals make provision for an acoustic fence surrounding the site which (and I'll cover this more fully in the next section) would minimise/mitigate noise nuisance for those living nearby. The application does make reference to a sub-station on the site which is some 7m in height. Given the known effects of low-level (but persistent) humming and clicking in a rural, quiet, tranquil setting, can I ask what measures are proposed to safeguard against such potential nuisance?

Furthermore, noting that the proposals for the site are for a 40 year lifespan of the BESS, can I be assured that the site is capable of being returned to its present condition after such time? The sheer volume of concrete, wiring, foundations, metal (and potential contaminated water) both on site and into Hawkchurch parish (and I understand that the cabling from the site into HP for the relay of the energy would be oil-cooled) means that
what is promised might not actually be achievable or deliverable.

LANDSCAPE:

The application referred to above (24/0276/FUL) was refused on 23rd May 2024 and reason Three for that refusal read as follows:

The development will have a significant adverse landscape impact on the site and the local landscape character and quality, introducing in incongruous industrial infrastructure into an undeveloped field in the open countryside. The development would be clearly visible in near views particularly from Hawkchurch footpath 25 and in winter views from Hawkchurch footpath 21, adversely impacting on their amenity. Mitigation proposed would be insufficient to over overcome these harms and overall, the scheme would not conserve or enhanced landscape character of the area. The development is therefore contrary to Strategies 7 (Development in the Countryside), Strategy 39 (Renewable and Low Carbon Energy Projects), Strategy 46 (Landscape Conservation and Enhancement and AONBs), policies D1 (Design and Local Distinctiveness) or TC4 (Footpaths, Bridleways and Cycleways) of the Local Plan.

It would be remiss of me to mention that precisely the same arguments apply to this application (and perhaps more so, as this is an MFUL application rather than simply a FUL) other than perhaps the prevalence of footpaths in the vicinity (although there is a bridleway nearby).

The site is immediately adjacent to Wootton Fitzpaine parish (in Dorset) and that parish is wholly covered by the designation of West Dorset National Landscape (formerly AONB) with Uplyme parish immediately to the west (almost entirely included within the East Devon national Landscape designation). Sadly, for reasons never made clear to me, both Axminster and Hawkchurch parishes were excluded from inclusion within the EDNL or the BDHNL despite having all of the attributes that one would think might enable designation.

AMENITY:

I can understand (to a point) why the site has been chosen. It is accessed off the B3165 which is a decent piece of highway traveling north from the A35 towards Crewkerne (aka The Crewkerne Road). This means that fire and emergency vehicles can access the site via the A35 with then just a 2km northbound journey to the proposed site. The creation of an acoustic shield will assist in supressing potential noise nuisance and the site is remote (albeit that there are 3 properties on the Axminster parish side of the boundary, and 14 on the Hawkchurch side). I understand (although the relevant document did not appear to be included within the submission pack) that all of these properties have a water supply that could be

affected by groundwater contamination ' certainly, the properties on the Wootton Fitzpaine parish side of the B3165 do not have mains water to their properties.

I revert back to the underlying frustrations that I lodged previously for similar proposals in HP. The development will create no jobs per se (other than some construction work which will not necessarily go to local tradespeople), the site is a rural agricultural setting whereas such facilities would be better suited to brownfield, commercial, industrial zones. The BESS generates no 'green' energy in itself but simply acts as a mechanism to trade electricity as a commodity by 'buying low, selling high'. The environmental impact of the build is significant, the visual appearance (even painted green) incongruous, the potential for nuisance evident, and the consequences of a thermal fire (and the attempts to suppress and extinguish it) could be catastrophic for this quiet and green part of East Devon.

Regrettably, for the reasons stated above, but still willing to keep an open mind on the merits (and pitfalls) of the application, I feel compelled to submit a holding comment of 'objection' until such time as I can be assured that my concerns can be assuaged, and that the benefits of this proposal can be proved to outweigh the potential impediments to the parish of Axminster, the neighbouring properties (and residents) and the wider bio-diverse environment of the Axe Valley (including the local water supply, and the Axe Catchment).

Yarty - Cllr Duncan Mackinder
22/7/24

I am fully in favour of reducing the climate impact of the UK electric supply network by switching to renewable power generation and elimination of fossil fuel generation whilst also reducing the cost of power to both domestic and industrial consumers. However I'm unconvinced this BESS installation would make the contribution the application claims to decarbonising the UK electricity supply.

There will be a carbon cost to both the installation and the manufacture of the BESS equipment. As the embedded carbon content of this development does not appear to be quantified it is not possible to assess the magnitude of the increase in the embedded carbon of the electricity it will store, though we can be certainly this will not be zero. If storing renewably generated power, any increase due to storage in the BESS will be more significant. Part of the justification for BESS in general and this application in particular, is the ability to capture power when generation exceeds demand and release power when demand exceeds supply, For solar and wind generated renewables these points may be separated in time well beyond the length of time electricity may be usefully stored within a BESS (a small number of hours, typically 2). This reduces the utility of BESS in this regard. No machine is ever 100% efficient, so power output will always be below power input and it is likely that longer storage will widen the gap between output input and output decreasing the efficiency of such storage.

Since this installation must run at a profit, the power it sells will always be more expensive than the power it purchases to charge the batteries. This extra cost must be passed on to domestic and industrial electricity consumers. No doubt, release of such figures will be resisted as commercially confidential, but without them it is not

possible to assess whether the additional profit which must be extracted from electricity system will be significant to electricity consumers. I think it is important to understand that commercial projects are driven by the need to make a profit to return to investors and that (rather than the need to solve the national energy supply problems or address climate change) is what will dictate and shape project design and operation.

Whilst being located adjacent to two solar farms, this BESS installation will draw its input from the national grid and so will not be storing purely renewably generated power and it is therefore hard to see how it can be considered as a low carbon project which it needs to be in order to claim compliance with Strategy 39 of the East Devon Local Plan.

The PLUME IMPACT STUDY states it is based on worst case scenario of a single unit fire where the peak fire would last 2 hours and continue at lower intensity for 8 hours. The study makes no mention of modelling the production and release of Hydrofluoric Acid and Hydrochloric Acid both of which were detected in the Orsted BESS, Carnegie Road, Liverpool incident (to which the study refers) as can be seen the Merseyside Fire & Rescue Service Significant Incident Report. The Site Safety Overview Report para 1.12 does mention release of Hydrogen Fluoride in the Liverpool incident) These pollutants in gaseous or liquid forms (when dissolved in fire water) are significant and destructive chemicals which any planning must account for. If the specific battery design make production of these impossible, this should be stated and evidence for such statement provided.

The Liverpool BESS fire response required multiple appliances including a High Volume Pump due to local hydrant capacity being insufficient. The incident report states: 'Defensive firefighting continued on site for a total of 59 hours, involving predominantly a 2 pump attendance'. I would expect the Plume Impact Study to clearly explain why the event it models appears to be significantly smaller scale. In Liverpool, the FRS were on site extremely quickly (8 minutes), something which will not be possible due the distance of the site of this application from all local fire stations. Later arrival on site will mean the fire has significantly more time to expand before any effort to control it can be started.

The CONTROLLED WATERS ENVIRONMENTAL RISK ASSESSMENT para 5.28 and Site Safety Overview Report para 1.11 states BESS within UK have operated for equivalent of 548 years since 2006. The basis for this calculation is not explained. Using the most recent version (Apr 2024) rather July 2023 which para 5.28 uses, there are only 5 installations of Technology Type = Battery becoming operational between 2006 and 2012 (though many of the Battery installations have Operational date missing which makes the dataset hard to interpret). Thus the vast majority of UK BESS installations have become operational only with the last 11 years so little long term experience exists within the UK of BESS operations and the hazards from routine operations and maintenance/renewal of the battery units which will have a must shorter usable life than the 40 years envisaged for this development.

Given that BESS installations vary in size, with the proposed system being 50% larger than the largest in the above database, it would be far better to incorporate system capacity into the risk calculations (higher capacity is generally achieved by

more batteries thus more points of failure and more other batteries to spread the fire to). Furthermore, as the risk of fire caused by batteries overheating is higher during charging and discharging, the risk should also be calculated against charge/discharge cycles not simply hours since installation (like batteries within solar farms there are few charge/discharge cycles per day with the batteries being inactive between those cycles). To maximise profit from BESS systems drawing power for the national grid rather than directly from renewable generation excess capacity) there will be a requirement to complete as many charge/discharge cycles per day as possible thus increasing the duration of most risk. In my view omitting these factors from the risk assessment leads to an underestimation of the risk.

The Planning, Design and Access Statement, para 7.69 states rainwater from the main BESS site will drain into Blackpool Ditch and thence unto Hole Batch Brook. The storage capacity of the attenuation basin is not stated though the Controlled Waters Environmental Risk Assessment para 5.38 states it would have capacity to contain the water expected to be discharged by fire-fighting equipment over a 2 hour period, this being the total capacity of the two emergency water tanks. I assume this is only possible if the attenuation basin is effectively empty at the start of the incident. Since the design of the drainage system is such to control rate at which rainwater enters the local water courses it can't be argued that for any incident the attenuation basin will start empty of rainwater, Whilst it could be argued that both fire and significant bad weather events at the BESS site are rare, and thus still rarer to occur close together in time, this is only true if these are independent events. Should significant rain and high winds be in any way contributory to a fire event, these are no longer independent events and may be more likely to occur close together with the result that the full capacity of the attenuation basin will not be available for fire water. As the incident report on the Liverpool BESS fire attests, the volume of water required was significantly higher than that planned for this development. Should DSFRS incident commander in the event of a fire, determine that a high volume pump (as deployed in Liverpool) is required, there would be no on site storage for water such a pump discharged (assuming a suitable source could also be located) and the capacity of the attenuation basin would be overwhelmed. At that point, the assurances that fire water could not enter local watercourses and aquifer due to the impermeable nature of the ground on the site and impermeable membrane installed under the site, would be irrelevant. Once fire water has entered the surrounding water courses and from them quite possibly the aquifer, irreversible environmental damage would be expected from the pollutants in the fire water resulting from the fire and interaction of gases emitted during the fire with the fire water This development would therefore fail to meet policies Policy EN14 and EN18 of the East Devon Local Plan. These are some of the key reasons given for rejection at appeal to the planning inspectorate against refusal of an application to develop the Pound Road BESS on Land North East Of Axminster National Grid Substation

I am also in agreement with comments of others that this application also fails to meet Strategies 7 and 49 of the East Devon Local Plan so will not repeat those arguments here.

For the above reasons, I am unable to support this application and recommend that it be REJECTED.

Axminster/Town Council
15/10/24
At the meeting of the Town Council held on 14th October 2024, the Council resolved (by a majority decision) to maintain their support for this application, thanking the applicant for the additional information provided in the supplementary documents.

9/7/24
Axminster Town Council, having received representations both for and against this application, resolved at its meeting held 8th July 2024 to SUPPORT this application having given the application due consideration.

Clerk To Hawkchurch Parish Council
14/2/25

The following are Hawkchurch Parish Council's Response to Amendments presented by the Applicants on 9 October, 2024, to their proposal "24/0096/MFUL | Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements. | Land Just South of Hazelhurst Raymonds Hill Axminster"

Comment Date: February 11, 2025

The Hawkchurch Parish Council recognise that these Amendments have attempted to answer a significant number of issues raised originally by the PC, other Consultees and Contributors.

We note that a recent survey done as preparation for writing our Neighbourhood Plan indicates that a very large majority of the parish are against lithium-ion BESSs situated over our aquifer. Taking all of this into consideration, we are still unable to support this application as the Amendments do not offer sufficient guarantees of the safety of this proposed BESS and its susceptibility to a major accident that would destroy the aquifer that our farms, ecosystems and a substantial number of residents rely on, and thus respectfully ask that it be refused.

In the interests of brevity, we state here that we agree with the following contributor comments: "Planning Potential Addendum Letter on Behalf of Hawkchurch Action Group" and "Hawkchurch Action Group Combined Email and Briefing Note", and therefore we will not repeat those comments in detail.

We enlarge on some of the central issues.

1) The central argument of the Applicant's responses to the original objections is crucially undermined by their failure to understand how the potential catastrophic nature (High Impact) of any failure of this operational system makes this BESS a High-Risk operation, requiring extraordinary standards of safety which the Applicants' proposed system has not met.

The Applicants seems to think that by, potentially, lowering the probability of a High Impact event in this BESS, they have reduced this BESS from High Risk to Low

Risk. This is, by definition, false. No matter how unlikely such a High Impact event might be, it remains High Impact and renders the operational system High-Risk. The sentence, "This work delivers a proposed development that is a low probability, low impact safety risk" made by the Applicants is therefore untrue.

A catastrophic accident is catastrophic. It is irrelevant whether it happens once or many times. When an operational system is described as 'High Risk' in technical terms, this can mean that if any one failure of that system could result in an accident that has severe consequences, then the system is considered to be 'High Risk'. In order to reduce this system's High Risk Category to Low Risk, one would have to eliminate completely the probability of an High Impact accident (0 possibility), and it has yet to be demonstrated that that is possible. In fact, the low probability of such an accident in systems that are extremely complex, made with highly toxic and potentially toxic materials, and as yet in operation for only a few years, makes it impossible to predict how severe such an event will be, and when such an event will occur.

Note here that some risk management experts have said that over this type of BESS's 40 year operational lifetime there is a near certainty that it will experience at least one major failure including, in this case, destruction of our aquifer and the consequences of that, as well as long term loss of Quality Adjusted Life Years (QUALYs) through economic distress, lifelong disabilities, and immediate loss of life.

According to reputable risk management theories, any operational system that presents the possibility of a High Impact ('catastrophic') event must be safeguarded by safety measures that provide "scientific near-certainty" that the accident will not happen, no matter how large the benefit of the operation. In this case, the benefit is quantifiably small, and there is no possibility of a scientific near-certainty that a catastrophic accident can be prevented using the measures being proposed by the Applicants.

2) The Applicants claim that whoever will operate this BESS in a decade or so will, according to current best practice, renew the batteries. Apart from the problem of who will own the BESS, whether they will comply fully, etc there remains the problem that not all of the BESS's components apart from the batteries will be renewed, whether the manufacturers of these components can be relied on to uphold the highest standards of Quality Assurance, whether the raw materials will be available, or available at affordable prices, whether the installation and maintenance will be carried adequately, etc.

At the end-of-life of the BESS, who will be ultimately responsible for decommissioning the BESS and restoring the area back to its original state if the owners of the BESS are bankrupt? We are told by the EDDC LPA that the landowner is ultimately responsible. And if the land-owner cannot afford it? Who will pay? The LPA? Central government? If government has the budget to decommission and restore, that means, that as tax-payers, we, the public, will pay.

3) It is difficult to predict the upper limits of destruction of a High Impact, Low Probability accident happening as a result of this BESS's operations. But risk theory

tells us that the upper limit of the damage done could be much worse than expected in 'worst case scenarios'.

4) The above points alone undermine seriously the Applicants' argument. Further, the measures that they claim will lower (but not eliminate with scientific near-certainty) the probability of a catastrophic accident are deeply flawed. The Contributor papers "Planning Potential Addendum Letter on Behalf of Hawkchurch Action Group" and "Hawkchurch Action Group Combined Email and Briefing" have shown in detail how the Applicants' proposed safety measures fail to meet even a necessary minimum standard of efficacy.

We will confine ourselves to general points about these proposed measures.

o Many of the amendments contain the false assumption that merely by specifying the BESS model to be used, and the manufacturer's commissioned tests for safety on that model, that this automatically proves that the BESS will be able to avoid the category of a High Risk operation The report of the Grenfell Enquiry stated that one of the key factors contributing to the Grenfell accident was the developer's assumption that manufacturers' claims based on their own safety tests were enough to guarantee the safety of the construction. Note here that these types of tests do not account for a whole number of 'real world' variables that will increase over time.

o The Applicants cite their own Battery Safety Consultant's advice as a guarantee that any fire will be limited to a non-hazardous level. This is clearly wishful thinking: the Applicants' own data show that the number of serious accidents in BESSs has been rising annually since 2020.

o The Applicants understanding of a variety of guidelines that as yet have no strong legal status, nor long-term experience to back them up, is flawed, rendering their use of these guidelines to guarantee the safety of the proposed installation inadequate.

o Of particular concern are the proposed measures to use water to prevent a thermal run-away event, as well as other problems.

o Groundwater within the aquifer and surface watercourses are Controlled Waters and therefore cannot receive discharges of hazardous substances.

o Containing contaminated fire water on site is therefore an absolute necessity.

o The Contributor comments from Planning Potential's Addendum Letter deal in some detail with the very serious problems presented by the Applicants' planned use of water to contain and control the fire to an adequate standard of safety to protect our aquifer. In particular the amounts of water needed and the containment and removal of contaminated water.

o The Precedents set by the Pound Road Appeal Enquiry are, as demonstrated by Planning Potential, crucially and uncontrovertibly relevant, and must not be ignored.

The Hawkchurch Parish Council also notes the most recent NPPF National Planning Policy Framework, 198:
"Planning policies and 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, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
a) 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
b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

o The whole of this area is unaffected by major roads, so there is no continuous drone of industrial systems.

o Despite the good intentions of the Applicant, this BESS is equivalent to a miniature industrial estate in one of the most beautiful rural areas of the UK appreciated by tourists, ramblers, local residents, artists - local and visiting, etc.

o It is a 'dark sky' area - on many nights of the year, constellations and even the Milky Way are visible.

Clerk To Hawkchurch Parish Council
24/7/24

We fully support the need for the UK to move to renewable energy sources and the Parish of Hawkchurch has a very significant level of solar farms.

We acknowledge the efforts that the developer has made to address concerns raised by residents of Hawkchurch in relation to other similar projects. To this end the developer has acknowledged the safety issues, the need to consult with the fire service and to comply with the NFCC guidance. The site is situated further from habitation, is accessible from the main roads, and is relatively flat, all good starting points to make the site safe in the event of a thermal runaway incident. We also note that the developer has made a battery choice, which means that risks can be properly assessed, and the design of the site can address these risks.

There are however several things that remain uncertain:

1. In the event of a thermal runaway incident there are several scenarios that may develop. DNV modelled the 'worst case scenario' of an entire container being involved. This is still predicated on the detection and suppression systems working, and as acknowledged by the Inspectors report for the Pound Road Inquiry, this cannot be guaranteed. Indeed, a recent survey by Clean Energy Associates pointed to significant levels of failure in such control systems. This needs to be considered

alongside the location and response time of the fire service. There is a possibility that the scenario could be considerably worse and there could be propagation from one container to another - albeit unlikely if the control systems work as planned.

2. It is indicative from the documents, including the fire service comment, that the scenario response that has been planned for is one where the adjacent containers are cooled by the fire brigade and the impacted container is allowed to burn. However, the fire brigade state that they cannot be certain about this which means that the volumes of water planned for are potentially not adequate. There is some uncertainty over this anyway. The NFCC guidance states a minimum requirement for immediate use - this does not mean that more water would not be required but it could be brought in from elsewhere. Indeed, other fire services have stated that far larger volumes of water would be required.

3. The developers have acknowledged the sensitivity of water receptors to contaminated fire water (both private residential water supplies and the river catchments). They have planned to use impermeable membranes and a drainage system utilizing penstock valves that would be closed presumably prior to fire fighting. There are several issues that arise:
a)This system can only safely deal with a certain amount of water, and we feel there are possible scenarios where the system would be overtopped.
b)The timing of closing the penstock valves, the response time of the fire brigade and the possibility of heavy rain.
c) Penstock valves can leak - they are sluice gates after all.
d) The logistics and timing of removing firewater safely.
e) Concerns about the impermeable membrane and it's ability to stand up to the heat of a battery fire (which is exceptional) and to hydrofluoric acid (water in contact with the battery electrolyte generates this most corrosive acid).

4. We also believe there should be clarification of the suppression system. The documentation implies a sprinkler system and, if so, is that water, where would it be stored and what volume would be needed.

5. The developers have not specifically identified where private water supplies are in the area - these are automatically classed as SPZ1's but are not routinely recorded by either the EA or on Defra's magic map. We believe they should be identified in case they are in the vicinity or next to a watercourse that could be affected.

6. The extent and impact of the groundworks is not clear, but this is a significant drainage development, and we are concerned about the impact on the environment and the ability to return the site to agricultural use. We also note there is no CEMP at present.

7. The current drainage system needs to be unblocked - this is indicative of a longer-term issue about the management of the drainage systems. We have persistent problems with developers not accepting responsibility for managing the development according to the original landscaping conditions and would be very concerned if there was not clarity about how often the drainage system would be checked and cleared. We also note the concerns raised by the Flood and Coastal Risk SuDS Engineer.

8. The development has a 7m high substation. We note the comments of the environmental health officer about the lack of consideration of the low frequency noise and the need for this to be assessed - we believe the substation height should be considered alongside this as they do emit loud humming noises. Some of the landscape photos that show the position do not do justice to the differential height of the containers, the 4m fence and the 7m substation.

These uncertainties do not provide a solid base on which to discount the risk to human health and the environment. We urge proper engagement with the Environment Agency and Natural England to ensure that they understand the potential impacts.

The cable route is mapped but it is not clear how much power they will carry, whether there will be one or more cables, how they will be insulated, whether they need to be cooled and potential impacts on other utilities (including the impact of magnetic fields on broadband) especially for residents of Blackpool Corner where these run along the Crewkerne Road. The impact of cabling will also be significant as it is bound to close the Crewkerne Road and how traffic will be managed is important.

This proposal would be industrial in nature. This is not in keeping with the surrounding rural area and would impact on tourism, which is key for the local economy. This development would be a step change in altering the character of the landscape and despite assurances that it would be returned to agricultural use after 40 years, I don't think anyone really believes that that is possible or would be the case.

This BESS proposal, although sited next to two very large solar farms will not be harvesting electricity directly from them but will draw its power directly from the grid substation and will operate an energy arbitrage scheme, selling power back to the grid when prices are higher. This makes us skeptical about the true contribution such a development has to the renewable energy efforts.

For these reasons we are unable to support this application as it stands and ask that it is refused.

Hawkchurch Parish Council
July 2024

Technical Consultations

Devon & Somerset Fire And Rescue Service

Comment Date: **Mon 24 Mar 2025**
DSFRS Comments relating to AXP4.0 REV 3 and AXP1.0 REV 08 dated 28 February 2025

The proposed changes in access arrangements are noted. There appears to be 2 points of emergency service access, as per the NFCC guidance. The Service

recommends that as a minimum, fire service vehicle access should align with the guidance under B5 of Approved Document B of the Building Regulations.

Devon & Somerset Fire And Rescue Service
DSFRS Comments relating to AXP4.0 REV 3 and AXP1.0 REV 08 dated **28 February 2025**

The proposed changes in access arrangements are noted. There appears to be 2 points of emergency service access, as per the NFCC guidance. The Service recommends that as a minimum, fire service vehicle access should align with the guidance under B5 of Approved Document B of the Building Regulations.

Devon & Somerset Fire And Rescue Service

Comment Date: Wed 06 Nov 2024
Thank you for the additional information. This information, notably the swept path analysis and updated site plan have been reviewed.
It is noted that the emergency service access / egress to the site (drawing AXP4.0 REV B) is broadly similar to the site plan provided and commented on in June of this year (27th June 2024) .
Given this, Devon and Somerset Fire and Rescue Service continues to hold the views outlined in the previous correspondence referenced above.

Please do not hesitate to contact me if you consider the above would benefit from further discussion.

Devon & Somerset Fire And Rescue Service
27.06.24

Summary

Some of the documentation that has been reviewed for these comments is still in 'draft' format, however, based on the contents and what has been proposed, the Service does not have any concerns of note to raise.

Clearstone's commitment to produce a detailed site-specific Battery Safety Management Plan, as a condition of planning permission, and to continue dialogue regarding the formulation of an Emergency Response Plan is also viewed positively.

EDDC District Ecologist
4/4/25

Conclusions and Recommendations

The submitted information is of a high standard and there are some limited areas that require refining.
The development would result in the direct loss of habitat within a CSZ of a lesser horseshoe bat maternity roost. It is considered that measures could be implemented to mitigate potential impacts on the nearby roost, especially through appropriate

management of hedges, additional woodland creation/enhancement and sensitive construction control measures.

There are some further discrepancies with the submitted biodiversity net gain (BNG) proposals and landscaping that need addressing, which could have a bearing on the overall predicted BNG outcome, i.e., the site as present may not achieve a +10% gain for area habitats. Hedgerows should comfortable achieve +10% BNG.

This would need to be informed by a details soft landscaping scheme, refinement of the Habitat and Landscape Management and Monitoring Plan (HLMMP) and amended Statutory Biodiversity Metric (SBM) to address the points raised.

If a +10% BNG outcome for area habitats are not achievable based on the refined details, then off-site provision could be used to account for any deficit, e.g., within the wider ownership boundary.

Conditions suggested.

4 Conditions
Should the development be approved the following conditions are recommend:

- The development shall not commence until a Habitat and Landscape Management and Monitoring Plan (the HLMMP), prepared in accordance with the approved Biodiversity Gain Plan and Soft Landscaping Plan and including:
  - a non-technical summary;o
  - the roles and responsibilities of the people or organisation(s) delivering the HLMMP;
  - the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;o
  - the management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
  - has been submitted to, and approved in writing by, the local planning authority.
- Notice in writing, in the form of a landscape verification report completed by a competent ecologist or landscape architect, shall be given to the Council when the habitat creation and enhancement works as set out in the HMMP have been established to define the completion of development and start of the 30-year BNG maintenance and monitoring period.•
- The created, enhanced, and maintained habitats specified in the approved HLMMP shall be managed, monitored, and maintained in accordance with the approved HLMMP.•
- No development shall take place (including ground works) until a Construction and Ecological Management Plan (CEcoMP) has been submitted to and approved in writing by the local planning authority. The CEcoMP shall include the following.
  -Risk assessment of potentially damaging construction activities.

-Identification of "biodiversity protection zones".
-Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
-The location and timing of sensitive works to avoid harm to biodiversity features.
-The times during construction when specialist ecologists need to be present on site to oversee works.
-Responsible persons and lines of communication, including reporting compliance of actions to the LPA.
-The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for reptiles, dormice and bats.
-Use of protective fences, exclusion barriers and warning signs.

The approved CEcoMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason:
To ensure that the development has no adverse effect on protected and notable species, provides ecological mitigation and enhancement measures, and to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031.

EDDC Landscape Architect
1 April 2025

1 INTRODUCTION
This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of additional and amended landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 REVIEW OF ADDITONAL/ AMENDED INFOMRATION

2.1 Layout

The battery compound appears to have been adjusted to provide a minimum 4m width access around the perimeter between the proposed fencing and existing field hedges. It would be helpful if notes could be added to both the Site Plan and the Landscape Enhancement and Mitigation Plan to confirm this.

2.2 Access

The revised location of the operational phase to utilise an existing access off Stammery Hill will reduce landscape impacts compared to the previous proposal. Proposals for the access off the B3156 have been amended to avoid the RPA of tree T18. The Landscape Enhancement and Mitigation Plan, Figure-AXP 15.0 February 2025, indicates that the proposals will entail the removal of 17m section of hedgerow for the access and the cutting back of adjoining hedgerow to 600mm over a distance of 34m to the northeast and 11m to the southwest with further trimming back of side growth beyond this to provide required visibility splays. The cut down hedgerow will be maintained at 600mm height during the construction phase and allowed to grow back up subsequently.

During the operational phase it is understood that the B3165 access will only be used for emergencies and continued maintenance of the visibility splay will not be required. However, the 17m width construction phase access is currently shown to remain for the operational phase. This is unnecessary and will have a localised urbanising effect on the boundary of the Dorset National Landscape. To minimise this, the width of the B3156 entrance should be reduced for the operational phase to the minimum necessary to accommodate emergency vehicles and the entrance designed to appear as an agricultural field access with no kerbing,
rather than as a new roadway. Similar design considerations should apply to the Stammery Hill access junction.

Detail design drawings for the proposed site access junctions with the highway for both construction and operational phases should be provided either prior to determination or by condition.

2.3 Landscape mitigation

As requested, additional planting is now proposed to reinforce the existing woodland to the east of the site and the surrounding hedgerows and compensate for potential losses of existing ash trees due to die-back.

2.4 Habitat and Landscape Management & Monitoring Plan – Rev. 2

The Plan is generally comprehensive but is in draft form and some further information is required to complete it. The Plan also needs to be read in conjunction with a detailed planting plan and specification which have not yet been provided. An updated Plan should therefore be required by condition incorporating missing information and addressing various points.

3 CONCLUSIONS & RECOMMENDATIONS

3.1 Acceptability of proposals

The proposed scheme will result in adverse landscape impacts within the site due to loss of existing grassland and introduction of industrial infrastructure within a rural setting, with lesser effects on the host landscape and Dorset National Landscape. However, the site is situated adjacent to existing solar farms to the east and south which form part of the local landscape context and existing trees and hedgerow will

be retained with the exception of localised hedge breaks to form the access off the B3165.

There would also be locally significant visual impacts on visual receptors in the vicinity of the proposed construction phase access off the B3165. Construction phase effects would be temporary lasting for a few months. Subsequently the entrance should be reduced in width sufficient to accommodate emergency vehicles. Subject to this requirement, and acceptable detail junction design secured by condition, the visual and landscape effects of the proposed access would be temporary and could be effectively mitigated in the short -medium term on completion of site works.

Presently the site is well contained and not readily visible within the local or wider landscape apart from partial, glimpsed and heavily filtered views through existing perimeter field openings adjacent to public roads and along its northeastern boundary where an adjacent permissive bridleway has recently been agreed.
For the above reasons the submitted scheme could be considered acceptable in terms of landscape and visual impact subject to amendment of the proposals for the operational phase emergency access off the B3165 either prior to determination or through condition.

Conditions suggested.

EDDC Trees

Comment Date: Fri 14 Mar 2025
I have reviewed the revised arboricultural impact assessment (AIA) prepared by Barton Hyett, dated February 2025.

I note that the location of the proposed operational site access onto Sector Lane would now be further to the east, through G26, mixed broadleaved group. I understand the access will use an existing gateway into the field and this would have reduced impact on trees compared to the previous proposed access next to T1. This is seen as an improvement from an arboricultural perspective.

Further details have been provided regarding the impact on and management of the hedgerows and trees, H10 & H11, due to the proposed construction access onto the B3165 road. It now appears that the intensive hedgerow management to 600mm height will only be required during construction and in a limited area, and the hedgerows will be allowed to grow on to match the other hedgerows on the site post construction.

Full details of the proposed cable route and the method of installation have not been supplied and if the application is approved a condition should be applied that includes a requirement for detailed arboricultural method statements (AMSs) covering the installation of cable within or adjacent to the RPAs of retained trees.

Condition proposed for tree protection.

County Highway Authority

31/3/25

The CHA has been re-consulted on amended plans regarding this planning application and has no further comments to add.

NO OBJECTION

05/11/2024

No objection.

20/8/24
I have visited the site and reviewed the planning application documents.

These battery energy storage sites tend to produce limited trip generation once in operation with minimal maintenance.

No objection.

DCC Flood Risk SuDS
Mon 24 Mar 2025

Recommendation:
We have no in-principle objections to the above planning application, from a surface water drainage perspective.

Observations:
The applicant have amended the main access road to the development site as shown in Axminster Energy Hub Site layout Plan (Drawing No. CST005-AXP4.0, Rev. E, dated 14th February 2025) and Indicative Landscape and Ecological Mitigation and Enhancement Strategy (Drawing No. Figure-AXP 15.0, Rev. -, dated February 2025).

It was previously proposed that the access roads will be formed of MOT Type 3 or equivalent material (with at least 30% void ratio and low fines content). The applicant will need to confirm this during detailed design and propose the attenuation required to manage the surface water runoff.

Condition proposed.

Environmental Health

18/10/24
I have reviewed the submitted documentation and do not anticipate any environmental health concerns.

Natural England
1/7/24

No objection.

Dorset Council
12/7/24

Dorset Council has no comments to make on the application.

Devon County Archaeologist
27/7/24
I refer to the above application. The Historic Environment Team has now received a copy of the report setting out the results of the archaeological field evaluation. These investigations have demonstrated that the site has a low potential for containing significant heritage assets with archaeological interest, and no further archaeological mitigation is required.

In the light of this information I would like to withdraw the Historic Environment Team's previous objection and instead offer no comments on this planning application.

Conservation
19/7/24

On the basis of the information provided through this application, the works as proposed for the 'construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements.' Would, on account of the location of the development site, result in no harm to the conservation of the historic built environment within the surrounding area. In this respect conservation do not wish to offer any further comment. Case Officer to assess on planning merit.

Environment Agency
No response received.

Devon County Council Waste Planning

It is recommended that a condition is attached to any consent to require the submission of a Waste Audit Statement prior to the commencement of the development as stated below:

Prior to the commencement of development, a waste audit statement shall be submitted to, and approved in writing by, the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
o The amount of construction, demolition, excavation and decommissioning waste in tonnes, set out by the type of material.
o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition, excavation and decommissioning, along with the methodology for auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.
o The predicted annual amount of waste, in tonnes, that will be generated once the development is occupied.
o Identify the main types of waste generated when development is occupied.
o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site.
o Identify measures taken to avoid all waste occurring.

The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.

Please let us know should you have any queries.

County Highway Authority
Addendum 05/11/2024

The CHA has received the updated swept path plans of HGV, articulated and emergency vehicles utilising the proposed access and has no objection to raise, as such our stance remains the same.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Officer authorised to
sign on behalf of the County Council

Dorset National Landscape Partnership

Thank you for consulting Dorset National Landscape Team. Having reviewed the application, it is our overall opinion that the landscape and visual impacts of the proposal that relate to Dorset National Landscape, are relatively localised and comprise impacts from the point of access from the B3165, as well as potential filtered views toward the compound from this road.

The proposals include a new point of access from the B3165, with this being located within Dorset National Landscape and necessitating the removal of a section of hedgerow. The BESS compound is located to the northwest, at a distance of approx 100m from the point of access, within the next field, which is demarked by a hedge line (a hedge bank including a number of relatively mature trees, including ash trees). The compound, as well as the majority of the new access track from the B3165 to compound, are located outside of the designated landscape.

The applicant has submitted a Landscape Appraisal, including photographs. VP5 represents a near viewpoint from the B3165, while VPs 6, 7 & 8 are more distant views toward to the site from within Dorset National Landscape. Overall, we do not fundamentally contest the judgements of the Appraisal in relation to effects on this designated landscape. The relatively level and contained nature of the selected site is such that what might be considered significant impacts on the character and appearance of the Dorset National Landscape area are not expected to arise. Nonetheless, some localised adverse impacts can be foreseen, particularly in relation to the B3165. Here there may be scope for further mitigation and/or use of conditions, for example:

o The detailed design of the access from the B3165 should be resolved. It is suggested that the final specification for this gateway includes a timber field gate, with this being preferably to the installation of a steel gate. Details of hedgerow removal and replanting should also be confirmed.

o The main BESS compound is located to the northwest of low hedge bank with a relatively mature hedge that includes a number of trees. The screening of the compound relies quite heavily on this hedge, as well as that which runs alongside the B3165. Whilst the indicative landscaping proposals suggest retaining and enhancing these hedgerows, it is considered that design has the potential to accommodate an additional belt of new planting, containing the compound along its southeastern edge. It is noted that the existing hedgerow that is closest to the compound contains a number of ash trees that are susceptible to loss, due to the widespread distribution of disease. Augmenting the existing field boundaries with more substantive new planting would serve to reduce effects of the development on users of the B3165, who otherwise may be able to achieve filtered views into the site

area for a limited length of the road, particularly when passing the site during winter months.

o It is understood that lighting is not proposed during the operational phase. Nonetheless, it is considered that a condition be used to avoid the potential installation of lighting at a future date, for example for enhanced security.

I hope that these comments support the Council's review of this application.

Richard Brown CMLI
Landscape Planning Officer, Dorset National Landscape

Other Representations

44 letters of objection

Summary of the key objections:

1. **Proximity and Visual Impact:** Concerns about its closeness to residential areas, livestock, and public paths, as well as its visual intrusion in a rural setting.
2. **Environmental Risks:** Potential contamination of aquifers, pollution risks to the River Axe catchment, and negative effects on biodiversity and local wildlife.
3. **Fire and Safety Risks:** Fears about thermal runaway events, inadequate fire suppression measures, and risks of explosion.
4. **Noise and Light Pollution:** Worries about continuous noise from equipment and potential light disturbance.
5. **Local Plan Contravention:** The project is seen as conflicting with local and county strategies on pollution control, water quality, and countryside protection.
6. **Economic and Social Impact:** Concerns about harming local tourism, agriculture, and the rural character.
7. **Legal and Regulatory Issues:** Claims that the project lacks necessary safety standards and may face legal challenges for not obtaining Hazardous Substance Consent (HSC).

5 letters of support:

1. **Renewable Energy Support:** The BESS is seen as vital for supporting the transition to clean energy and reducing carbon emissions.
2. **Infrastructure Improvement:** The project is considered an important step in enhancing energy storage capacity, which is essential for stabilizing renewable energy supply.
3. **Design Considerations:** Supporters noted that efforts had been made to design the facility in a way that minimizes visual impact and integrates sympathetically with the surrounding environment.

4. **Minimal Agricultural Impact:** Some supporters highlighted that the land in question is only Grade 3 agricultural land, suggesting the development would have limited impact on productive farmland.
5. **Improved Access:** The proposal includes plans for improved road access, which could enhance local infrastructure.

PLANNING HISTORY

Reference	Description	Decision	Date
24/0001/EIA	Screening opinion for Axminster energy hub.	EIA not required.	30.05.2024

POLICIES

East Devon Local Plan 2013-2031

Strategy 3 (Sustainable Development) Adopted

Strategy 7 (Development in the Countryside) Adopted

Strategy 39 (Renewable and Low Carbon Energy Projects) Adopted

Strategy 46 (Landscape Conservation and Enhancement and AONBs) Adopted

D1 (Design and Local Distinctiveness) Adopted

D3 (Trees and Development Sites) Adopted

EN5 (Wildlife Habitats and Features) Adopted

EN8 (Significance of Heritage Assets and their setting) Adopted

EN9 (Development Affecting a Designated Heritage Asset) Adopted

EN13 (Development on High Quality Agricultural Land) Adopted

EN14 (Control of Pollution) Adopted

E18 (Loss of Holiday Accommodation) Adopted

EN21 (River and Coastal Flooding) Adopted

EN22 (Surface Run-Off Implications of New Development) Adopted

E4 (Rural Diversification)

E5 (Small Scale Economic Development in Rural Areas) Adopted

TC2 (Accessibility of New Development) Adopted

TC9 (Parking Provision in New Development) Adopted

East Devon Emerging Local Plan 2020-2042

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy CC01 (Climate emergency) Draft

Strategic Policy CC02 (Moving toward Net-zero carbon development) Draft

Strategic Policy CC04 (Energy storage) Draft

Strategic Policy CC06 (Embodied carbon) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Policy DS04 (Green and blue Infrastructure) Draft

Strategic Policy OL01 (Landscape features) Draft

Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty)) Draft

Policy OL04 (Areas of strategic visual importance) Draft

Policy OL09 (Control of pollution) Draft

Policy OL10 (Development on high quality agricultural land) Draft

Policy PB03 (Protection of irreplaceable habitats and important features) Draft

Strategic Policy PB05 (Biodiversity Net Gain) Draft

Policy PB08 (Tree, hedges and woodland on development sites) Draft

Policy PB09 (Monitoring requirements for new planting scheme) Draft

Strategic Policy HE01 (Historic environment) Draft

Policy HE02 (Listed buildings) Draft

Policy HE04 (Archaeology and Scheduled Monuments) Draft

Strategic Policy AR01 (Flooding) Draft

Site Location and Description

The site is situated on a landscape plateau to the northwest of Blackpool Corner. Surrounding land use to the north and east is predominantly agricultural with some large areas of woodland. Extensive solar farms are situated immediately to the west and southwest of the site and further largescale solar farms and the National Grid Axminster sub-station are situated some 1-2.2 km to the northeast.

The site is reasonably level and has two access points to adjoining roads to the north and east. Connection to the grid is proposed via underground cabling extending along the line of the proposed emergency access route and then via the highway network for the 2.7km route to the National Grid distribution station.

The land for the BESS system is pasture and is reported (by the survey accompanying the application) to be Grade 3b agricultural land. There is no public access within the site and the nearest publicly accessible locations are Stammery Hill and the B3165 in the vicinity of the proposed site entrances, and a new permissive bridleway which is to be provided as part of the s106 agreement for the Beavor Grange solar farm adjacent to the northwestern site boundary. Hawkchurch bridleway 33 emerges on to Stammery Hill almost opposite the proposed emergency site access. The nearest residential properties are situated at Blackpool Corner between 150 to 700m to the northeast.

The site lies both the administrative areas of Axminster Town Council and Hawkchurch Parish Council. The proposed entrance off the B3165 falls within the Dorset National Landscape (part of which crosses into East Devon according to mapping data).

The development

The development of the Battery Energy Storage System would be able to store 150MW (300MWh) of electricity to the grid. This would equate to the power required for 750,000 homes for 10 hours when fully charged.

The main components of the proposal comprise:

A battery storage compound surfaced with non-compacted gravel containing:

- Banks of battery units (52 no.) measuring 2.1m wide x 3.2m long x 2.7m high (including the 15cm high concrete pad they sit on) 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;
- ACC/DCC panels positioned at the end of each row of three battery units and measuring 0.7m wide x 3.2m long x 2.7m high (including the 15cm high concrete pad they sit on). The ACC/DCC panel is an outdoor rated enclosure which is used to connect to the Medium Voltage (MV) Skid and includes an external panel for emergency response, auxiliary power and communications;

- MV Twin Skid units (19 no.) measuring 2.3m wide x 6m long x 2.4m high (including the 15cm high concrete pad they sit on). 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 (38 no.) each measuring 2.5m wide x 3.9m long x 2.9m high (including the 15cm high concrete pad they sit on). 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;
- Spare equipment containers measuring 2.5m wide x 12.2m long x 2.8m high (including the 15cm concrete pad they sit on); and
  Two emergency water tanks (with pumps), each measuring 2m high and 10m in diameter across and each with a capacity of 114,000 litres.

Associated infrastructure including:

- A single substation and switchgear compound (gravel and concrete footings). The tallest piece of equipment within the compound would be 7.5m. The Switchroom would be 4.9m wide x 12.7m long x 3.3m high. 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, one from the B3165 for construction traffic and operational traffic and one off Stammery Hill for emergency access only;
- A steel palisade fence and double gates (no higher than 2.4m) around the battery storage compound to be coloured moss green;
- CCTV and infrared cameras mounted on steel poles (no higher than 3m) and located to provide 24/7 security of the plant; and
- A 4m high acoustic attenuation fence enclosing three sides of the battery compound and positioned inside the security palisade fence; and
- Underground cabling to connect the battery banks, inverters/ transformers to the proposed on-site substation.

ANALYSIS

The main issues are:

- Principle - whether the proposal represents a renewable energy or low carbon scheme for the purpose of the development plan;
- Landscape and Visual Impacts;
- Noise and Amenity
- Fire Safety and Pollution
- Use of best and most versatile agricultural land (BMV);
- Effects on biodiversity.
- Drainage
- Highway safety
- Benefits of the development

The principle of development

There is no made Neighbourhood Plan for Axminster or Hawkchurch. The relevant development plan for determining the application therefore is the EDDC Local Plan.

Strategy 7 does not permit development outside of Built-Up Area Boundaries unless permitted by some other policy in the LP. One such policy is Strategy 39 and this permits such developments in the open countryside subject to criteria.

Strategy 39 of the Local Plan states that:

Renewable or low-carbon energy projects in either domestic or commercial development will in principle be supported and encouraged subject to them following current best practice guidance and the adverse impacts on features of environmental and heritage sensitivity, including any cumulative landscape and visual impacts, being satisfactorily addressed. Applicants will need to demonstrate that they have;

1. taken appropriate steps in considering the options in relation to location, scale and design, for firstly avoiding harm;
2. and then reducing and mitigating any unavoidable harm, to ensure an acceptable balance between harm and benefit.

Where schemes are in open countryside there will be a requirement to remove all equipment from the site and restore land to its former, or better, condition if the project ceases in the future. Wind turbines will only be permitted where they are in accordance with a Neighbourhood Plan or Development Plan Document.

The Council has previously accepted (application 17/2318/FUL for a BESS at Hill Barton Business Park was approved at the Planning Committee of 4 January 2018) that such installations are 'low carbon energy' projects as this is defined in the Local Plan as including technologies 'that can help reduce emissions (compared to conventional use of fossil fuels)'. In simple terms, such energy storage facilities can be used to store energy from the grid when renewable generation (not necessarily from the solar farm at the site) is in excess of demand. Prices during this time will be lower (supply exceeding demand) and can be used later when prices are higher, which typically is when renewable generation is low. The power fed back to the grid will reduce the amount of non-renewable generation required during such times and in this way is considered to reduce emissions that otherwise would have been generated. The comments of the objectors regarding emissions generated to make the BESS equipment is noted but are not specified as a consideration in Strategy 39. Of course, anything which is manufactured will likely generate emissions but this will be offset in due course by the savings in emissions a BESS (or for that matter solar panels or wind turbines) facilitates. As the electricity grid becomes greener (as it has over the last two decades) this payback period becomes even shorter. The same can never be said of fossil fuel derived energy.

The Planning Inspector noted in the decision letter relating the appeal into refused planning application 22/2216/MFUL (also for a BESS scheme nearby) that:

42. Whilst the proposal would not generate renewable energy, it would nonetheless store power. This is significant as typically wind turbines and solar panels have variable generation and this supply needs to be managed. Demand too will vary according to season and time of day. Given these variables, battery storage is essential to help manage the use of renewables so that they can be relied upon, which supports their continued development and a low carbon future. Whilst the proposal will manage all electricity use, including that generated by fossil fuel, it will still manage some renewables. Moreover, the proposal is for a 40 year use and the vast majority of energy stored would be from renewable sources: the Overarching National Policy Statement for Energy (NPS) foresees that by 2035 all our electricity will need to come from low carbon sources, subject to security in supply.

And also:

44. Indeed, the Renewable and low carbon energy Planning Practice Guidance, (the PPG) encompasses battery storage and acknowledges its de-carbonising role. The NPS goes further stating storage has a key role in achieving net zero. Similarly, the Glossary to the Framework defines low carbon technologies as those that can help reduce emissions. Consequently, I find these confirm that the proposal represents a low carbon project for the purpose of the development plan and the proposal would not be contrary to Strategy 39.

The principle of development is therefore considered to be acceptable insofar as it is a 'low carbon energy' project as defined in the Local Plan.

The recently revised NPPF also now lends support in principle to the proposed development. Paragraph 165 makes clear the aim to 'help increase the use and supply of renewable and low carbon energy and heat' through appropriate plans.

Paragraph 168 of the NPPF requires that –

"*When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:*

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future."

The principle of the development is therefore supported by local and national planning policy.

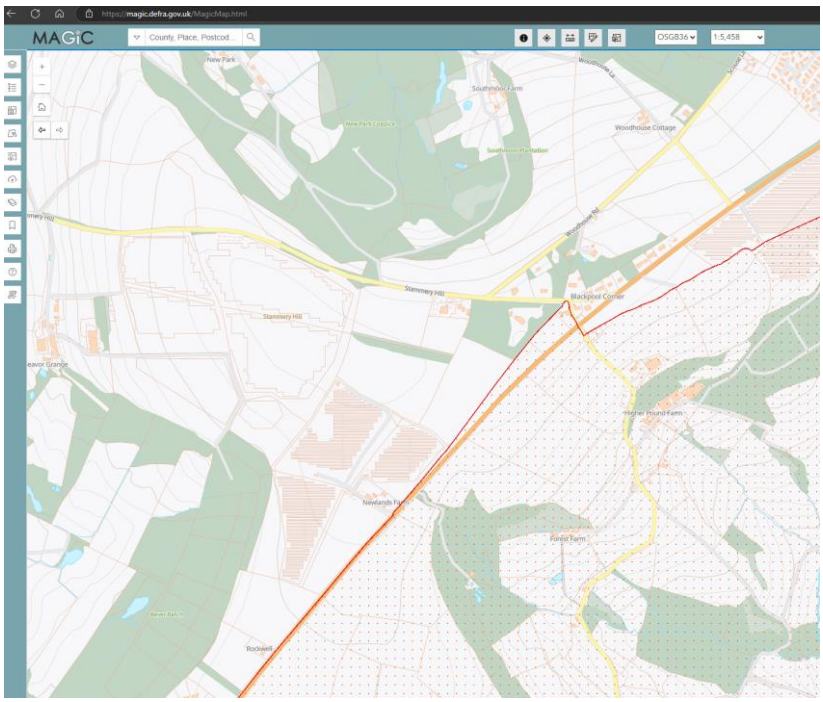
Landscape and visual impacts

The site does not lie within a designated landscape, save for the very southern corner which contains one of the construction and emergency access points. For reasons that are unclear the Dorset National Landscape appears to leapfrog the

road into East Devon by a few meters as shown below (the red dotted area showing the designation).

The site is situated on a landscape plateau to the northwest of Blackpool Corner. Surrounding land-use to the north and east is predominantly agricultural with some large areas of woodland. Extensive solar farms are situated immediately to the west and southwest of the site and further largescale solar farms and the National Grid Axminster sub-station are situated some 1-2.2 km to the northeast.

The site comprises a level, rectangular field within which the battery storage compound is proposed to be sited. The main field where the battery compound is to be constructed and the field to the south are pasture, while the field to the east is presently under arable. The fields are bounded by historic hedgebanks with numerous outgrown trees with a narrow strip of mature woodland separating the main field from the field to the north. The tallest feature of the development would be a 4m high acoustic attenuation fence enclosing three sides of the battery compound and positioned inside the security palisade fence.



With regards to paragraph 190 of the NPPF which states that permission for major development should be refused in National Landscapes, it is at the discretion of the LPA as to whether the development is classified as major for the purposes of this paragraph. Although the type of planning application is major as defined in the Development Management Procedure Order, it is not considered major in the context of paragraph 190 as only small element of the total site lies in the National Landscape and within that area only a modest proportion of the total built development (being one of the access points). Therefore, there is no compulsion to refuse permission on this ground.

While the site would see a significant and adverse change in its character and appearance, these effects would not be experienced beyond the site itself. Any effects that are apparent will diminish over time as landscaping becomes established to compliment the already existing mature boundary screening. Proposed landscaping includes enhancement, gapping up and re-enforcement of existing hedges along roadsides and also within the site, and the extension of an existing woodland belt as detailed on the Indicative Landscape and Ecological Mitigation and Enhancement Strategy drawing AXP 15.0. It is unlikely that there would be impacts on the Dorset National Landscape. Dorset Council appears unconcerned with the application and the Dorset National Landscape Partnership recognise the impacts would be localised.

The landscape officer's comments regarding suggested changes to the proposed landscaping scheme have been discussed with the applicant's agent and some of the changes have been made, most notably the change in location for the secondary northern access, to make use of an existing field access rather than form a new one. The offsetting of the access road would alleviate views into the main part of the site where the BESS units would be located. The landscape officer concludes that the development would be acceptable in landscape terms subject to conditions suggested and these have been included in the recommendation

The development complies with Strategy 46 of the Local Plan.

Noise and amenity

The main sources of noise from the installation would be cooling processes taking place during charge/discharge cycles. Discharge cycles would be during times of peak demand, which typically is for limited periods daily. There are a limited number of receptors near to the site which include Hill Crest (dwelling which is in the same ownership as the site) and Hazeljurst (dwelling approximately 280m north-east of the compound). Blackpool Cottage lies a bit further to the east and on the opposite side of the Stammery Road from Hazelhurst lie a few other dwellings; Beech Corner, Nore View, Hillside, Silver Birches and others beyond.

The Council's Environmental Health Officer is satisfied with the latest information submitted which included information to address concerns previously raised in respect of low frequency noise. This information simply confirmed that the transformers proposed as part of the BESS scheme are fully enclosed unlike most other transformers. In addition to this, the 4m high acoustic fence would ensure that the nearest noise sensitive receptors will not be adversely affected, and this has been confirmed as suitable mitigation by Environmental Health. This acoustic fencing will need to be secured via planning condition.

A Construction and Environmental Management Plan condition should be imposed on the development to minimise disruption during construction.

Subject to suitable conditions the development accords with policy EN14 (Control of Pollution) of the LP in respect of noise and amenity.

Fire Safety and Pollution

While it has been a long-standing principle that planning should be able to rely on other safety and pollution regimes to operate effectively, the issue of Fire Safety and Pollution is of particular sensitivity in the area in which the application is proposed because it lies on an aquifer important to local water supplies. In considering the application it is therefore necessary to have regard to policies concerning potential pollution (that being contaminated water created during any fire-fighting event) that may arise, even during a 'departure' from normal operation.

The NPPG includes a section on BESS schemes. This advises that for scheme of 1MW or over applicants are encouraged to engage with the local fire and rescue service before submitting a planning application.

Applicants are also 'encouraged' to consider the guidance produced by the National Fire Chiefs Council (NFCC) when preparing an application. Likewise, LPAs are 'encouraged' to consider this guidance in determining an application. It is acknowledged that the NFCC guidance is specifically based on proposals for lithium-ion batteries. It is important to note as not all BESS schemes necessarily will use such cells and the application of this guidance many not always be appropriate as a result. The NPPG notes that matters such as design, firefighting access and facilities at BESS sites are of interest to fire and rescue services. The application states that it is proposed to use Lithium Iron Phosphate (LFP) cells.

The matter of fire safety and pollution was dealt with at a recent public inquiry (APP/U1105/W/23/3319803) into the refusal of a BESS scheme in the vicinity of this site. That appeal decision took into account the NFCC guidance and updated NPPG. One of the main issues considered by the Inspector was '*Whether there is sufficient information on the health and safety measures and the extent to which there would be significant risk to local residents and the environment*'.

To that end the following matters were considered in the appeal decision:

- BESS installations are not long enough established to prove that safety risk is not significant (para 56);
- NFCC guidance recommends a minimum of 6m separation between BESS containers (para 61);
- Less than 6m separation may be feasible but predicated on modelling and engineering measures to prove safety (para 61);
- While final technological battery details not specified (in the appeal) there was also no evidence that any particular battery specification could be safe with the 2m separation that was proposed (para 64);
- NFCC guidance recommends at least 2 separate access points to account for opposite wind conditions/direction (para 65);
- Sufficient storage capacity needed at site to deal with firefighting wastewater (as the site lies on an aquifer needed for local drinking supplies). Relying on wastewater tankers to carry waste away from site unlikely to be sufficient as they could be delayed and the fire service was unlikely to want non-fire service staff in the area while dealing with the fire due to the risk to their safety (paras 69 – 72);

- No fire hydrants were shown to be in the area
- Planning conditions requiring water storage tanks cannot be assumed to be achievable as it could take up room required for access and landscaping.

The application is supported by:

- Battery Safety Standards Report (BSSR) (AECOM May 2024);
- Controlled Waters Environmental Risk Assessment (RMA Environmental May 2024);
- Plume Assessment Study (DNV May 2024); and
- A follow up document 'Providing Clarity and Reassurance on Fire Safety Risks 9 October 2024)

The BSSR references the NFCC guidance. This table assesses the scheme against the NFCC recommendations.

	NFCC Recommendation	Site Status	Comments
1	Access- minimum of two separate access points to the site	Compliant	DSFRS confirm access, road widths, passing points and turning facilities are appropriate.
2	Roads/ hard standing capable of accommodating fire service vehicles in all weather conditions. As such, there should be no extremes of grade.	Compliant	DSFRS confirm access, road widths, passing points and turning facilities are appropriate.
3	A perimeter road or roads with passing places suitable for fire service vehicles.	Compliant	DSFRS confirm access, road widths, passing points and turning facilities are appropriate.
4	Road networks on site must enable unobstructed access to all areas of the facility.	Compliant	DSFRS confirm access, road widths, passing points and turning facilities are appropriate.
5	Turning circles, passing places etc size to be advised by FRS depending on fleet.	Compliant	DSFRS confirm access, road widths, passing points and turning facilities are appropriate.
6	Distance from BESS units to occupied buildings and site boundaries. Initial minimum distance of 25m.	Compliant	No dwellings within this distance. Hill Crest site boundary with the site is 90-100m from the nearest BESS unit.
7	Access between BESS unit - minimum of six	Compliant	Less than 6m separation proposed (3.2m). The DSFRS

	metres suggested. If reducing distances, a clear, evidence based, case for the reduction should be shown.		response states that the 6m separation distance was lowered in a revision to the NFCC guidance in July 2023. It also is satisfied with the evidence provided to justify the separation of 3.2m proposed.
8	Site conditions-areas within 10m of Bess units should be cleared of combustible vegetation.	Compliant	This requirement is noted in the BSSR and will managed as part of the site operation.
9	Water supplies.	Compliant	It is calculated (using burn testing) that 192,000 litres would be sufficient to fight a fire but it is proposed to store 228,000 litres on site. DSFRS is content with the proposed water supply.
10	Signage.	Compliant	The BSSR confirms that signage as per NFCC guidelines will be provided which includes: • Relevant hazards posed i.e., the presence of High Voltage DC Electrical Systems is a risk, and their location should be identified. • The type of technology associated with the BESS. • Any suppression system fitted. • 24/7 Emergency Contact Information. • Signs on the exterior of a building or enclosure will be sized such that at least one sign is legible at night at a distance of 30 m or from the site boundary, whichever is closer. DSFRS raise no objection on this point.
11	Emergency plans.	Compliant	The BSSR confirms that an Emergency Response Plan (ERP) will be developed in consultation with the DSFRS,

			which can be secured with a planning condition.
12	Environmental impacts.	Compliant	DSFRS confirm the proposed drainage system, with a minimum storage capacity of 228,000 litres is a adequate to contain anticipated firefighting water runoff.
13	System design, construction, testing and decommissioning.	Compliant	DSFRS does not object to any matter here and notes that BESS system will be certified to the UL9540 standard and tested to UL9540A test method. A lower lever of testing would require evidence to support this approach. A suitable condition could be used to ensure this. DSFRS confirm overall design will comply with NFCC guidance. DSFRS state LFP cells are regarded as posing fewer safety concerns such as overheating and explosion; they are not as susceptible to thermal runaway. DSFRS confirm that the worst-case plume modelling is based on realistic assumptions and scenarios, and results demonstrate no immediate thermal or plume impacts will occur on the nearest receptors.
14	Deflagration prevention and venting.	Compliant	The BSSR confirms the suppression system will operate in conjunction with a gas exhaust/ventilation system to minimise deflagration risks. The BESS ventilation system will comply with NFPA 855 (2023) / NFPA 69 guidelines which require the prevention of a dangerous build-up of explosive gases (25% LEL). The gas exhaust / ventilation system must have redundancy and can be

			separate to any HVAC system providing climate control. DSFRS confirms no objections on this matter.

The National Fire Chiefs Council (NFCC) 'grid scale battery energy storage system planning guidance' states:

"*Suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff. System capability/capacity should be based on anticipated water application rates, including the impact of water based fixed suppression systems*".

Measures to be provided include providing penstocks on the outlets from the attenuation basin and the granular attenuation blanket to contain any fire-water within the site. In the event of a fire the penstocks would be closed until contaminate water is removed and disposed of appropriately. The swale that flows into the basin will also include an impermeable membrane. The membrane shall be capable of resisting the chemical concentrations and temperatures advised by the fire consultant at the detailed design stage.

In conclusion in relation to Fire Safety and Pollution therefore, the design of the proposed installation has suitable design features to minimise risk of uncontrolled fires and adequately reduces risks of contaminated fire-fighting wastewater leaching into local water supply. Consequently, the proposal complies Strategy 39, Policies EN14 and EN18 of the Local Plan and paragraph 8 of the NPPF and the guidance in the NPPG and NFCC guidance.

Best Most Versatile (BMV) agricultural land

The Agricultural Land Classification report says it is grade 3b (not BMV) land. There is no information to contradict this and therefore there is no objection in relation to this matter. There is no conflict with policy EN13 of the Local Plan in this regard.

Biodiversity

The application is supported by an Ecological Impact Assessment (EcIA), Biodiversity Net Gain Calculation, Biodiversity Gain Plan (BGP) (draft), and Draft Habitat and Landscape Management and Monitoring Plan (HLMMP).

Initial concerns about the effect on dormice (protected species) have been addressed via the submission of revised plans which lessen the access widths necessary post-construction and include further planting to maintain suitable habitat.

A late representation has been submitted from the Vincent Bat Trust about a nearby maternity roost. This has been considered in depth. The development would result in the direct loss of habitat within a Core Sustenance Zone of a lesser horseshoe bat

maternity roost. Mitigation of this could be achieved however and the required amendments to the habitat creation on the site can be secured via the conditions suggested by the Council's Ecologist.

There remain some discrepancies with the submitted biodiversity net gain (BNG) proposals. There could be some deficit (i.e. less than 10% gain) in habitat creation but again the Council's Ecologist has advised that this can be secured via suitable planning conditions and there remains the option for the developer to purchase off-site provision should on-site provision not be achievable. Broadly speaking the on-site enhancements proposed include the improvement to hedges and tree planting already mentioned but also wildflower meadow planting and aquatic habitat with locally appropriate aquatic emergent and marginal species.

The development complies with policy EN5 of the Local Plan.

Drainage

Site testing has shown the site is not suitable for infiltration based SuDS features. The drainage therefore will be via the existing arrangement which is via Blackpool Ditch and associated manhole. The clogged manhole will be cleared as part of the development. Further details of this can be agreed via the condition suggested by DCC.

The Lead Local Flood Authority (DCC) is satisfied with the additional information it requested and has no objection to the scheme from a surface water drainage perspective, subject to the conditions it suggests for further details be agreed. The proposal complies with policy EN22 of the Local Plan.

Highways

The main highways effects of the development would be during construction. Construction access to the site will be via a proposed new junction on the B3165. An existing access, north of the new access, will be closed with vegetation and hedgerow returned. The operational access will be via the existing field access on Stammery Hill.

Once the site is operational, the construction vehicle access will be reduced in size and retained as an emergency vehicle access. During the operational period . maintenance vehicles (likely transit van scale) will visit the site approximately once every two weeks.

No objections have been received from the highway authority. It is recommended that a construction management plan be secured via planning condition to minimise disruption as far as possible during the development period and to ensure to two access points are reduced in size to the minimum needed for emergency and service access post-construction. The development complies with policy TC2 of the Local Plan.

Benefits of the proposal

The proposal presents some benefits that must be considered.

The development would assist in the deployment and operation of renewables across the national grid as it would be able to store energy at times when renewable energy is outstripping demand. The additional benefit of this would be to lower energy prices generally as it would prevent Contract for Difference payments (subsidies) having to be paid to renewable generators if they are required to curtail generation during these times. Further, it would reduce the reliance on more costly and sometimes less secure means generation during times of peak demand such as gas and nuclear. Perhaps most importantly, in operating in this way it would reduce the Carbon Dioxide emissions in the grid helping to lessen climate change. These are all objectives of UK National planning and energy policy. Very significant weight is afforded to these benefits.

There would also be some temporary benefits in terms of the economic activity generated during construction.

Planning Balance

Section 38(6) of The Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is echoed in paragraph 11(c) of the Framework.

The proposal is a low carbon project as defined in the Local Plan and it therefore accords with Strategy 39 in this particular regard.

The site is not very exposed to public views, being set back from the main access points and as such, while a change in the character of the site would result from the development, this would be localised and without detriment to the wider landscape. Landscaping is proposed to further mitigate the local visual effects. The proposal accords with Strategies 39 and 46, and policies D1 of the Local Plan in this respect.

The proposals meet the requirements of the NFCC guidance, or where it is not, that departure from the guidance is justified with evidence that satisfies the DSFRS. The proposal therefore complies with Strategy 39, Policy EN14 of the Local Plan and guidance within the NPPF.

Sufficient evidence is provided to be certain that the development would not harm local biodiversity interests, subject to appropriate planning conditions, and that the requisite BNG can be achieved, complying with policy EN5 of the Local Plan.

There are no highway objections to the scheme in conformity with policy TC2 of the Local Plan. Nor is the development going to lead to the loss of BMV agricultural land so there is no conflict with policy EN13 of the Local Plan.

The benefits of the scheme are set out in the preceding sections but are in the main around reduction in carbon dioxide emissions powering the grid and therefore helping lessen climate change, reducing energy prices for consumers and reducing

reliance on less secure forms of energy generation. These are all significant benefits and carry significant weight in the planning balance. There would be lesser economic benefits from its construction also.

On balance the benefits of the development significantly and demonstrably outweigh the limited landscape harm that would arise. It is therefore recommended that permission is granted.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved. (Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

3. Prior to the commencement of development a Construction and Environment Management Plan must be submitted to and approved by the Local Planning Authority, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

   (Reason – A pre-commencement condition is required to ensure that the details are agreed before the start of works to protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with Policies D1 - Design and Local Distinctiveness and EN14 - Control of Pollution of the East Devon Local Plan 2013 to 2031.)

4. Development of the battery storage compound shall not be first commissioned/powered until an emergency Response Plan (ERP) has been submitted to, and approved in writing by, the Local Planning Authority. The ERP shall be prepared in consultation with the Devon Fire and Rescue Service and shall follow UL National Fire Chiefs Council (NFCC) and NFPA 855 guidelines and include as a minimum:

   - How the fire service will be alerted and incident communications & monitoring capabilities.
   - Facility description, including infrastructure details, operations, number of personnel, and operating hours.

- Site plan depicting key infrastructure.
- Site access points, internal roads, agreed access routes, observation points, turning areas, etc.
- Firefighting facilities (water tanks, pumps, booster systems, fire hydrants, fire hose reels etc).
- Water supply locations & capacity.
- Drainage and water capture design & locations.
- Details of emergency resources, including fire detection and suppression systems and equipment; gas detection; emergency eyewash and shower facilities; spill containment systems and equipment; emergency warning systems; communication systems; personal protective equipment; first aid.
- Up-to-date contact details for facility personnel, and any relevant off-site personnel that could provide technical support during an emergency.
- A list of dangerous goods stored on site.
- Site evacuation procedures.
- Site operation Emergency Management protocols - 4 phases: discovery, initial response / notification, incident actions, resolution & post incident actions / responses.
- Emergency procedures for all credible hazards and risks, including building, infrastructure and vehicle fire, wildfires, impacts on local respondents, impacts on transport infrastructure.
- The operator will develop a post-incident recovery plan that addresses the potential for reignition of the BESS and de-energizing the system, as well as removal and disposal of damaged equipment.

(Reason - To minimise risks of accidents which could be harmful to the public and the environment in accordance with Strategy 39 (Renewable and Low Carbon Energy Projects) and policy EN14 (Control of Pollution) of the East Devon Local Plan 2-13 - 2033).

5. Within 40 years and six months following completion of construction of the development hereby permitted, within 12 months of the cessation of operational use, or within six months following a permanent cessation of construction works prior to the battery facility coming into operational use, whichever is the sooner, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than twenty-eight working days following cessation of power production. The site shall subsequently be restored in accordance with a scheme and timescale, the details of which shall be first submitted to and approved in writing by the Local Planning Authority no later than twelve months following the commencement of the first operation of the development. (Note: for the purposes of this condition, a permanent cessation shall be taken as a period of at least 24 months where no development has been carried out to any substantial extent anywhere on the site).

(Reason - To ensure the achievement of satisfactory site restoration in accordance with Strategy 39 (Renewable and Low Carbon Energy Projects) of the East Devon Local Plan 2013 to 2031.)

6. Notwithstanding the submitted plans and details:

1) No development work shall commence on site until the following information has been submitted to and approved by the Local Planning Authority:

a) Soft landscape specification covering soil quality and depth; soil preparation; planting and sowing; mulching; means of plant support and protection during establishment period and 5 year maintenance schedule.
b) Tree pit and tree staking/ guying details.
c) Details of proposed colour finishes to fencing and housings for inverters, storage units and batteries, including relevant BS/ RAL reference.
d) Details of proposed under and over ground cable and water supply routes together with method statements for taking underground cables through any hedgebanks and tree RPAs.
e) Construction details for proposed hardstandings, trackways and associated kerbing and edgings.
f) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites - DEFRA September 2009, which should include:
o a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.
o methods for stripping, stockpiling, re-spreading and ameliorating the soils.
o location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
o schedules of volumes for each material.
o expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
o identification of person responsible for supervising soil management.
g) A phasing plan for construction. This should identify the early construction and planting of Devon hedgebanks to ensure that turves from site excavations are available for construction of the banks themselves and to enable associated planting to establish as soon as possible.

2) No site works shall begin until a site-specific Landscape Management and Maintenance Plan has been submitted to and approved in writing with the Local Planning Authority. This shall set out responsibilities for maintenance within the site and cover the construction, establishment, management and ongoing maintenance of landscape elements. The Plan shall set out the landscape aims and objectives for the site along with the specific management objectives for each landscape component, and the associated maintenance works required on an annual and occasional basis. Details of inspection, monitoring and reporting arrangements shall also be provided.

The plan shall include an as-existing condition survey for each length of hedge, identifying its position on the Hedgelink hedge management cycle, any initial works required to bring to good condition, such as gapping up, removal of invasive species etc. and requirements for cutting including intended height range, cutting height and frequency.

The Plan shall cover a period of not less than 30 years following the substantial completion of the development and shall be reviewed every 5 years and updated to reflect changes in site conditions and management prescriptions in order to meet the stated aims and objectives.

Management, maintenance inspection and monitoring shall be carried out in accordance with the approved plan for the duration of the operational phase of the development.

3) The works shall be carried out in accordance with the approved details. Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - A pre-commencement condition is required to ensure that the details are agreed before the start of works to ensure the effects of the development works have the least impact possible, giving the best chance of the site being successfully landscaped. In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) of the East Devon Local Plan.

7. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

(a) A detailed drainage design based upon the approved Axminster Energy Hub Flood Risk Assessment and Outline Drainage Strategy (Report Ref. R008, Rev. 6, dated 22nd May 2024).
(b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
(c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
(d) A plan indicating how exceedance flows will be safely managed at the site.
(e) A detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert that will be affected by the proposals. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.

The site shall not be first powered/commissioned until the works have been approved and implemented in accordance with the details under (a) - (e) above.

(Reason- The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017), policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan 2013-2033 and national policies, including NPPF and PPG. The conditions should be pre-commencement since

it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.)

8. No development work shall commence on site until the following information has been submitted to and approved by the LPA:

a) Soft landscape planting plan together with a plant schedule and specification covering soil quality and depth; soil preparation; planting and sowing; mulching; means of plant support and protection during establishment period and 5 year maintenance schedule.
b) Tree pit and tree staking/ guying details.
c) Details of proposed colour finishes to fencing and housings for inverters, storage units batteries and CCTV masts, including relevant BS/ RAL reference.
d) Details of proposed under and over ground cable and water supply routes together with method statements for taking underground cables through any hedgebanks and tree RPAs.
e) Construction details for proposed hardstandings, trackways, highway junctions and associated kerbing and edgings.
f) Detail plan and sections for the proposed swale and attenuation basin and associated soil make up. The design should include for creation of an area of permanent standing water.
g) Locations of proposed CCTV cameras.
h) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan. External lighting shall be designed to minimise light-spill and adverse impact on dark skies/ bat foraging and commuting in accordance with Institute of Lighting Professionals (ILP) guidance notes GN01 2011 - Guidance notes for the reduction of obtrusive light and GN 08/18 - Bats and Artificial Lighting in the UK.
i) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites - DEFRA September 2009, which should include:
o a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.
o methods for stripping, stockpiling, re-spreading and ameliorating the soils.
o location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
o schedules of volumes for each material.
o expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
o identification of person responsible for supervising soil management.
j) A phasing plan for construction.
(Reason: This condition is a pre-commencement condition because it concerns the treatment of the site at the start of development. To ensure the visual and landscape effects of the development are adequately mitigated in accordance with Stategies 39 (Renewable and Low Carbon Energy Projects) and 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

9. Notwithstanding the submitted details a Landscape and Ecology Management Plan (LEMP) for a minimum 30 year period following completion of the development (or relevant phase thereof) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Plan shall be based on the submitted Ecological Impact Assessment and draft Habitat and Landscape Management and Monitoring Plan and required detailed planting plans and specifications, incorporating amendments noted under section 2.4 above and shall include the following:

   a) Details of the body or organisation responsible for implementation of the plan accompanied by a site plan showing areas to be adopted; maintained by management company or other defined body; and areas to be privately owned/ maintained.
   c) A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.
   d) Landscape and ecological management aims and objectives for the site.
   e) A condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
   f) Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works (including an annual work plan capable of being rolled forward over a minimum 30-year period. in relation to:
   - Existing trees, woodland and hedgerows/banks. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgelink guidance.
   - New trees, woodland areas, hedges and amenity planting areas.
   - Grassland, wildflower and any other habitat areas proposed.
   g) The location and design of biodiversity features including bird boxes, bat boxes, and other features, e.g., permeable fencing, to be shown clearly on accompanying plans.
   h) Details regarding the proposed reptile translocation, including receptor site details in accordance with .GOV guidance
   i) Boundary structures, drainage swales, water bodies.
   j) Arrangements for inspection and monitoring of the site and maintenance practices.
   k) Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.
   l) The Plan shall also set out (where the results from monitoring show that its conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
   The approved Plan shall be implemented in accordance with the approved details.
   (Reason: This condition is a pre-commencement condition because it concerns the treatment of the site at the start of development. To ensure the visual and landscape effects of the development are adequately mitigated in accordance with Strategies 39 (Renewable and Low Carbon Energy Projects) and 46

(Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

10. The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of BESS units with the exception of planting which shall be completed no later than the first planting season following first use.
(Reason: To ensure the visual and landscape effects of the development are adequately mitigated in accordance with Strategies 39 (Renewable and Low Carbon Energy Projects) and 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

11. No trees, shrubs, hedges or grassland habitat within the site which are shown as being planted or retained/ enhanced on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs, hedges or grassland habitat removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with plants of similar size and species unless the Local Planning Authority gives written consent to any variation.
(Reason: To ensure the visual and landscape effects of the development are adequately mitigated in accordance with Strategies 39 (Renewable and Low Carbon Energy Projects) and 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

12. The development shall not commence until a Habitat and Landscape Management and Monitoring Plan (the HLMMP), prepared in accordance with the approved Biodiversity Gain Plan and Soft Landscaping Plan and including:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the HLMMP;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- the management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority.

Notice in writing, in the form of a landscape verification report completed by a competent ecologist or landscape architect, shall be given to the Council when the habitat creation and enhancement works as set out in the HMMP have been established to define the completion of development and start of the 30-year BNG maintenance and monitoring period.

The created, enhanced, and maintained habitats specified in the approved HLMMP shall be managed, monitored, and maintained in accordance with the approved HLMMP.
(Reason: A pre-commencement condition is required to ensure that the details are agreed before the start of works to ensure the effects of the development works have the least impact possible, giving the best chance of the site being successfully developed with least effect on protected species and other biodiversity. To ensure that the development has no adverse effect on protected and notable species, provides ecological mitigation and enhancement measures, and to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031.)

13. No development shall take place (including ground works) until a Construction and Ecological Management Plan (CEcoMP) has been submitted to and approved in writing by the local planning authority. The CEcoMP shall include the following.
-Risk assessment of potentially damaging construction activities.
-Identification of "biodiversity protection zones".
-Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
-The location and timing of sensitive works to avoid harm to biodiversity features.
-The times during construction when specialist ecologists need to be present on site to oversee works.
-Responsible persons and lines of communication, including reporting compliance of actions to the LPA.
-The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for reptiles, dormice and bats.
-Use of protective fences, exclusion barriers and warning signs.

The approved CEcoMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

(Reason: A pre-commencement condition is required to ensure that the details are agreed before the start of works to ensure the effects of the development works have the least impact possible, giving the best chance of the site being successfully developed with least effect on protected species and other biodiversity. To ensure that the development has no adverse effect on protected and notable species, provides ecological mitigation and enhancement measures, and to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031.)

14. Upon completion of the construction phase and prior to energisation of the development, a design to reduce the width of the accesses off the B3165 and Stammery Hill must be submitted to and agreed in writing by the Local Planning Authority. The areas subject to the reduction in width must be replanted and maintained in accordance with a detailed Landscape and Ecological, Mitigation and Enhancement Strategy (LEMES) submitted to and agreed in writing by the Local Planning Authority. The replanting must take place within the first planting season following completion of the construction phase.

    (Reason: To reduce the visual impact of these access points once the development has been completed in accordance with Strategies 39 (Renewable and Low Carbon Energy Projects) and 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

15. Prior to the installation of any BESS unit a site-specific Battery Safety Management Plan (BSMP) shall have been submitted to, and approved in writing by, the Local Planning Authority. The development shall proceed in accordance with the agreed BSMP. Should any changes to the approved BESS units be necessary during the lifetime of the development, no such changes shall be made without a revised BSMP having first been resubmitted to, and written approval received from, the Local Planning Authority.
    (Reason - The Battery Safety Standards document 12 September 2023 is in outline form and further details will be required for approval once the technology selected for use on the site is known, in the interests of the minimising risks of a hazardous event which could lead to pollution of the local environment in accordance with Strategy 39 (Renewable and Low Carbon Energy Projects) and policy EN14 (Control of Pollution) of the East Devon Local Plan 2-13 - 2033).

16. Prior to the installation of any BESS units on the site, the mitigation measures and items outlined in sections 5.34 to 5.41 of the Controlled Waters Environmental Risk Assessment May 2024 (Document Reference R012D) shall be full installed and evidence that they are working as designed shall be submitted to the Local Planning Authority. No BESS units shall be installed on the site until written agreement of the submitted information is issued by the Local Planning Authority.
    (Reason - In the interests of the minimising risks of pollution of the local environment from fire-fighting waste-water should a hazardous event occur in accordance with Strategy 39 (Renewable and Low Carbon Energy Projects) and policy EN14 (Control of Pollution) of the East Devon Local Plan 2013 - 2031).

17 The acoustic fence shown on the plans hereby approved shall be installed prior the first operation of the BESS units and shall be maintained and retained in effective condition for the lifetime of the development. Details of the materials and finish of the fence shall have been submitted to, and agreed in writing by, the Local Planning Authority, prior to its installation.
    (Reason - To ensure the nearest residential properties are not adversely affected by noise from the operation of the installation and to ensure the

appearance of the fence is appropriate in accordance with policy EN14 (Control of Pollution) and Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan 2013-2031).

18 Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of construction machinery) a detailed Arboricultural Method Statement (AMS) containing a Tree Protection Scheme and Tree Work Specification based on the submitted Tree Retention, Removal and Protection Plan reference BHA 5761 02 Rev D, shall be submitted to, and approved in writing by, the Local Planning Authority.

No development or other operations shall take place except in complete accordance with the agreed AMS. The AMS shall include full details of the following:

a) Implementation, supervision and monitoring of the approved Tree Protection Scheme.
b) Implementation, supervision and monitoring of the approved Tree Work Specification by a suitably qualified and experienced arboriculturist.
c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.
d) Trenching, cable installation, including the use of trenchless techniques within the RPAs of retained trees
e) Timing and phasing of Arboricultural works in relation to the approved development.
f) Provision for the keeping of a monitoring log to record site visits and inspections along with: the reasons for such visits; the findings of the inspection and any necessary actions; all variations or departures from the approved details and any resultant remedial action or mitigation measures. A copy of the completed site monitoring log shall be sent to the Local Planning Authority following each site visit. Site visits should normally be monthly unless they are required more frequently to provide supervision.

On completion of the development, the final completed site monitoring log shall be signed off by the supervising arboriculturist and submitted to the Local Planning Authority for approval and final discharge of the condition.

In any event, the following restrictions shall be strictly observed:

- No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

- No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning

Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2) 2007.

- No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

- No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or in the opinion of the Local Planning Authority become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

- Full details of the method of construction of hard surfaces in the tree protection areas (identified in the Tree Protection Scheme) of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any development in the relevant phase. The method shall adhere to the principles embodied in BS 5837:2012 and AAIS Arboricultural Practice Note 1 (1996). The development shall be carried out strictly in accordance with the agreed details.
Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of construction machinery) a detailed Arboricultural Method Statement (AMS) containing a Tree Protection Scheme and Tree Work Specification based on the submitted Tree Retention, Removal and Protection Plan reference BHA 5761 02 Rev D, shall be submitted to and approved in writing by the Local Planning Authority.

(Reason - This condition is a pre-commencement condition because it concerns the protection of trees during development. To ensure the trees on site are protected to ensure visual and landscape effects of the development are adequately mitigated in accordance with policy D3 (Trees and Development Sites) of the East Devon Local Plan 2013-2031.

19. The two service/emergency access points shown on the plans hereby approved shall be maintained and retained as approved for the duration of the presence of the BESS units on site.

(Reason – To ensure the site can be accessed by emergency vehicles from two separate directions for the lifetime of the development in accordance with Strategy 39 (Renewable and Low Carbon Energy Projects) and policy EN14 (Control of Pollution) of the East Devon Local Plan 2-13 - 2033).

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability. This Informative confirms that this development is not liable to a CIL charge.

Plans relating to this application:

SITE SAFETY REPORT	Other Plans	14.06.24
	Noise Impact Assessment	14.06.24
	Ecological Assessment	14.06.24
BATTERY SAFETY STANDARDS REPORT	Other Plans	14.06.24
SK04-A	Other Plans	14.06.24
FS01 REV A	Other Plans	14.06.24
AXP9.0 REV 2	Other Plans	14.06.24
AXP8.0 REV 2	Other Plans	14.06.24
AXP7.0 REV 3	Other Plans	14.06.24
AXP6.0 REV 3	Other Plans	14.06.24
AXP5.0 REV 04	Other Plans	14.06.24
AXP14.0 REV 1	Other Plans	14.06.24
AXP13.0 REV 2	Other Plans	14.06.24
AXP12.0 REV 2	Other Plans	14.06.24
AXP11.0 REV 2	Other Plans	14.06.24
AXP10.0 REV 2	Other Plans	14.06.24
AXP16.0 REV 07	Other Plans	19.06.24

Feb 2025	Construction & Environment Management Pl	28.02.25
+ CTMP	Transport Statement	28.02.25
FIGURE-AXP 15.0 : landscape+ecological mitigation enhancement strategy	Landscaping	28.02.25
AXP1.0 REV 08	Location Plan	28.02.25
AXP4.0 REV E : site layout	Proposed Site Plan	28.02.25
Habitat and Landscape Management and Monitoring Plan (rev 2)	General Correspondence	04.03.25
BHA_5553_01 rev A	Tree Survey	09.10.24
AXP 15.0 (Oct 2024): Indicative landscape & ecological mitigation and enhancement strategy	Other Plans	09.10.24
SK01 rev D: Swept path analysis (16.5M articulated HGV)	Other Plans	09.10.24
SK02 rev A: Swept path analysis (fire appliance)	Other Plans	09.10.24
SK03 rev E: Swept path analysis (articulated	Other Plans	09.10.24

heavy load
mover)

List of Background Papers
Application file, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:
The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:
In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Appendix – Full consultation responses (where not provided above).

Devon and Somerset Fire and Rescue Service

Planning Application: 24/0096/MFUL
Site Address: Land just South of Hazelhurst Raymonds Hill, Axminster
Proposal: Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements

Devon and Somerset Fire and Rescue Service were directly consulted on the proposed plans by the applicant before submission to the Planning Authority. During our pre-consultation, Clearstone Energy submitted the following documents for our comment.

- Axminster Energy Hub Site Safety Report (Draft)
- Clearstone Energy Battery Safety Standards
- Technical Memo – Clearstone BESS Plume Study, Axminster BESS Site
- Controlled Waters Environmental Risk Assessment
- Axminster Energy Hub – Compliance with NFCC Design Guidance Fire
- Strategy Plan
- Wärtsilä GridSolv Quantum Specification Sheet

Our comments have been included in Appendix 2 of the Site Safety Report that has been submitted as part of this application.

Providing there has not been significant revisions to the documentation we were consulted on previously, the comments included in the Site Safety Report are still relevant.

For ease of reference our comments are repeated verbatim below.

The Service supports the National Fire Chiefs Council's (NFCC) guidance entitled Grid Scale Battery Energy Storage System Planning – Guidance for FRS and has considered those recommendations whilst commenting on this application.

System design, construction, testing and decommissioning

The documentation confirms that the applicant will adopt the recommendations of NFPA 855 in the design, spacing and layout of the site and with the employment of mitigation strategies to reduce fire risk. It has also been confirmed that the battery cells to be used in the development will be certified to UL9540 standards and will have been tested to UL9540A unit or installation level.

To meet these commitments the applicant has selected Wärtsilä to be the supplier of the BESS equipment for this project.

Having reviewed the documentation pertaining to Wärtsilä's GridSolv Quantum energy storage system, it would appear that compliance with the above standards will be met, and in general the overall design will comply with the NFCC guidance.

Referring to the Axminster Energy Hub Site Safety Report, Wärtsilä's Compliance Chart confirms that the design of the system will satisfy NFPA 855, and the cabinets will have explosion protection meeting NFPA 68. The battery cells themselves have been confirmed to have been evaluated for Thermal Runaway Fire Propagation to UL9540A at cell, module and unit level testing.

The documentation confirms that the Wärtsilä system will utilise Lithium Iron Phosphate (LFP) battery chemistry which is regarded as posing fewer safety concerns such as overheating and explosion. Having a greater stability at higher temperatures than some comparable battery chemistries, LFP battery chemistries are not as susceptible to thermal runaway.

The documentation also confirms that the GridSolv Quantum system is provided with a battery management system (BMS) and ventilation and liquid cooling to manage the temperature range of the cells within the cabinets. The documentation implies that the BMS has been developed specifically by Wärtsilä for its intended application and will be capable of autonomous isolation and shutdown of the battery systems should faults or anomalies be identified. The documents confirm that this safety feature is supported by 24/7 monitoring by dedicated control staff.

Regarding the spacing between strings of cabinets, Wärtsilä recommends a minimum distance of 3m, whilst the applicant has proposed a distance of 3.2m. These proposed distances comply with the NFPA 855 standard but do not meet those recommended in the NFCC guidance.

It should be noted that the NFCC recommendation of a minimum of 6m is based on an out-of-date version of FM Global's Property Loss Prevention Data Sheet 5-33 (2017). The latest revision of this document (July 2023) has had its recommended separation distances revised lower.

Furthermore, the NFCC guidance does support reductions in the separation distance between units where a "clear, evidence-based, case for the reduction should be shown".

To support the proposed separation distance of 3.2m, the applicant has provided reports by Fire & Risk Alliance, a 3rd party who specialise in Fire Protection Design and Hazard and Risk Assessment. The reports, which are based on results using data obtained from Computational Fire Dynamics (CFD) modelling and large-scale physical tests, demonstrate that it is unlikely that the design of the cabinets, and the fire loading within them, will lead to heat fluxes of a sufficient level that promotes fire propagation to adjacent units within the same string of cabinets, or from one string of cabinets to a neighbouring string where a separation distance of 3m is used.

The Service has reviewed the information referred to above and is satisfied that an adequate evidence-based approach has been adopted and that suitable design

features, including a 1hr fire resistant rating of each cabinet's walls, has been proposed in support of the 3.2m separation distance.

To demonstrate a low risk of safety impacts on neighbouring receptors, the applicant has instructed DNV to model the likely worst-case plume and toxicity scenarios that could occur during a fire event. The modelling, using CFD software, is based on the fire test data that Wärtsilä has obtained, and the assumptions and scenarios selected appear to be realistic, with the results demonstrating that no immediate thermal or plume impacts will occur on the nearest receptors.

Lastly, the documentation provided by the applicant confirms that maintenance will be carried out in accordance with Wärtsilä's recommended major and minor maintenance schedules which should reduce the possibility of a fault occurring on the proposed development.

Detection, monitoring and suppression systems

The documentation confirms that fire, gas and smoke detection systems will be installed to the recommendations of NFPA 855. It is also confirmed that these systems will inform the BMS and remote control facilities of any anomalies that require a safety intervention such as isolation or shut-down.

Site access and water supplies

The Service recommends that as a minimum, fire service vehicle access should align with the guidance under B5 of Approved Document B of the Building Regulations.

The documentation provided, including the Fire Strategy Plan, confirms that the above access requirements, including road widths, passing points and turning facilities, will be met. Additionally, the proposed site access complies with the recommendations of the NFCC guidance with the provision of an alternative emergency vehicular access route.

The documentation also confirms that sufficient firefighting water, stored in static tanks, will be provided to the recommendations made in the NFCC guidance. The Service is satisfied with the proposed siting of these static tanks.

Emergency plans and information

The documentation confirms that once planning approval is granted, a detailed site-specific Battery Safety Management Plan (BSMP) will be prepared as a condition of the planning permission. The indicative information suggested in the documents being commented on appears to include all the relevant risk information to inform the development of emergency plans.

It has also been noted positively that the applicant will consult with the Service further on the development of such plans and support our risk information gathering should the proposed development be permitted.

Environmental impacts

The inclusion of the Controlled Waters Environmental Risk Assessment along with the commentary in the Site Safety Report demonstrates that the environmental impacts of firefighting water run-off have been considered.

The proposed drainage system, with a minimum storage capacity of 228,000 litres of water, would appear to be adequate to contain the anticipated volume of firefighting water run-off likely to be produced during a fire incident where defensive boundary cooling tactics are employed.

Whilst it is difficult to predict the tactics that will be used during a fire incident, and the amount of water that will be required to support them, defensive boundary cooling where water is used to cool cabinets neighbouring the one effected by fire is the most likely.

The calculations and assumptions made in the Site Safety Report appear to be reasonable. Furthermore, it is assumed that the monitoring equipment provided in each battery cabinet will provide real-time temperature information that can be used to inform operational crews whether water application is required or not. If information to this level is available during an incident, this could lead to relatively efficient application of water to achieve boundary cooling objectives.

Summary

Some of the documentation that has been reviewed for these comments is still in ‘draft’ format, however, based on the contents and what has been proposed, the Service does not have any concerns of note to raise.

Clearstone’s commitment to produce a detailed site-specific Battery Safety Management Plan, as a condition of planning permission, and to continue dialogue regarding the formulation of an Emergency Response Plan is also viewed positively.

EDDC District Ecologist
4/4/25

Dormice

The updated EcIA and HLMMP addresses comments regarding consideration of dormice and the severance the of the south-east boundary hedgerow to provide development access onto the B3165. The HLMMP outlines suitable mitigation measures, such as a fingertip search and supervised habitat removal.

I would support the landscape officer's comments that the access points created in the boundary hedges for the construction phase should be reduced for the operational phase to the minimum necessary to accommodate emergence vertices. The details should be clearly identified on the plans either prior to determination or secured via condition.

Foraging and commuting bats

Vincent Wildlife Trust

The Vincent Wildlife Trust (VWT) has raised concerns that the location of a nearby important bat roost was not identified within the EcIA data search or that impacts on bats associated with the roost have not been fully considered. They state:

The Vincent Wildlife Trust manages a bat reserve in close proximity to the proposed development, located approximately 700m to the northwest. The building is a maternity and hibernation roost for lesser horseshoe bats and is also used by greater horseshoe bats for hibernation and during the summer, with numbers in previous years suggesting potential for maternity use. Both species are listed on Annex II and IV of the Habitats Directive. In particular, this is a significant bat roost for lesser horseshoe bats due to its location at the easterly edge of their range.

The report states that the proposed development site was assessed as being of moderate suitability for bats following the Bat Survey Guidelines. No further surveys were undertaken at the site to assess impacts on the site for bat flight paths, foraging, or social behaviour. The Bat Survey Guidelines recommend that for moderate suitability habitat a minimum of one survey visit per season should be undertaken (spring, summer, autumn), in addition to static bat detector survey data collection for five consecutive nights per month (April to October). The submitted report gives no reason that further surveys were not undertaken, or justification for deviating from the guidelines. We are concerned that insufficient data is available to assess the potential impacts of development on the foraging and commuting habitat on the proposed site in relation to disturbance during construction and loss of habitat, particularly in relation to the nearby roost.

Core Sustenance Zones (CSZ) for bats have not been considered within the report. CSZs refer to the area surrounding a bat roost within which habitat availability and quality will have a significant influence on the resilience and conservation status of the colony using the roost. The CSZ radius for lesser horseshoe bats is 2km, for greater horseshoe bats it is 3km. The proposed development impacts habitat well

within the CSZ for both species using the nearby roost. In addition, the site includes grazed grassland with woodland edges, treelines and hedgerow, which have potential to provide good quality foraging habitat for both species.

In conclusion, we have concerns that the potential impacts on the roost under our management have not been fully considered.

VWT has subsequently provided roost count data between 2004-2024 from with lesser horseshoe bat numbers varying between 18-130 with an average of 78 bats present in the summer, i.e., a well-used maternity roost. Winter counts vary between 2-100, with an average of 47. Greater horseshoe bats were recorded from 2020 in low numbers in the summer and winter. In 2023 18 greater horseshoe bats were recorded. Based on the data, the roost would be considered of District to Regional importance[i].

SLR Technical Memorandum

The applicant has provided a Technical Memorandum (SLR, 2025) as a response to the VWT concerns. In summary, the applicant's ecologist has stated that the roost was not included within the data search. They state that the habitats are considered of moderate suitability to foraging and commuting bats and acknowledge that the assessment of the value of the site for bats would be considered of county or above in terms of value for foreign and commuting bats. They also acknowledge the site is likely to be used by bats associated with the nearby roost.

The Memorandum also sets out how the site design, including % loss of habitat, proposed created habitats would provide a betterment for bats and other design features, i.e., no use of night working or permanent lighting, provides a cogent reasoning for why they consider that no bat activity survey would be required.

EDDC view

As no bat activity survey was undertaken, it must be assumed that the site will be used by foraging and commuting bats. Several trees on the site were also identified to have suitability to support bat roosts and the site is within the core sustenance zone (CSZ) for both the maternity (2-3 km) and hibernation periods (1.2-2 km) for both horseshoe bat species. There is also a pipistrelle and Natterer's bat maternity roosts within 550 m of the site (and other day roosts nearby.

Some key considerations regarding horseshoe bats are provided below:

- Horseshoe bats are a light adverse species.
- Creation, expansion, and maintenance of broadleaf woodland and well-connected woodland blocks within 2 km using strong linear features are critical for lesser horseshoe bats, especially within CSZs[ii].
- Foraging habitat, including woodland edge and tall (3m+) well connected hedgerows are critical for horseshoe bats within CSZs[iii].
- East Devon District Council provide guidance on the use of High Strategic Significance with regard to habitats within the CSZ of horseshoe bats. There

would include habitats which provide foraging opportunities within a Sustenance Zone around a greater or lesser horseshoe bats (refer to BNG section below).

- The Bat Conservation Trust (BCT) provide guidance for designing Biodiversity Net Gain (BNG) habitats based on CSZiv. – baseline and created habitats:
- Primary habitats for lesser horseshoe bats are identified as: "*broadleaved woodland and in wooded riparian corridors, as well as along mature treelines and hedgerows. Sympathetically grazed pasture (preferably cattle) supporting dung fauna also important*"
- For greater horseshoe bats: "*The greater horseshoe bat forages in edge habitats with broadleaved woodland important. The species is highly dependent on pasture sympathetically grazed by livestock, particularly cattle to support dung fauna"*

Lighting and retained habitats

The EcIA states there will be no p
ermanent lighting and no nighttime working during construction, so there would be no impacts on foraging and commuting bats (or other nocturnal wildlife, e.g., dormice). The outline CEMP includes a section (5.29-5.31) on artificial lighting and ecology (7.3) but does not mention lighting regarding ecology and potential impacts and mitigation regarding bats.

A detailed CEMP should explicitly reference measures to protect retained bat foraging and commuting habitat, such as the use of protective fencing and if security flood lighting is required, measures to mitigate potential impacts such as the use of short duration passive infrared sensors in accordance with BCT/ILP Guidance Note 08/2023v.

Outline measures regarding retained habitat protection are included in Section 3.4 of the HLMMP. These details should be expanded upon within the final CEMP including drawing of Construction Exclusion Zone (CEZ) and appropriate monitoring during construction of these retained CEZs.

Foraging and commuting habitat

The development would result in the permanent loss of approximately 1.9 ha of improved grazed pasture and 17 m of hedgerow. While the grassland habitat is unlikely to be considered optimal horseshoe bat foraging habitat, the hedges and woodland on the site are likely to be important to the nearby roost for foraging and commuting over site.

The west boundary hedgerow forms a prominent landscape feature connecting a large area of ancient semi-natural woodland to the north and large are of broadleaf woodland to the south. The hedgerow network on the site also provides habitat connectivity to the south and east to other large areas of woodland and priority grassland habitats (refer to Figure 1).

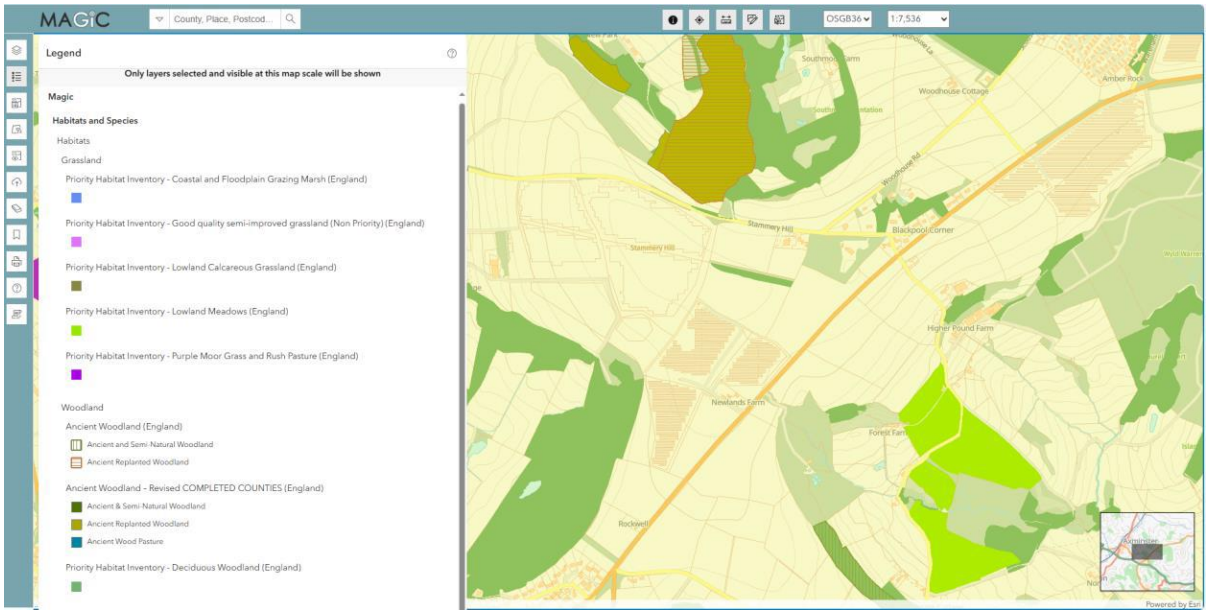


Figure 1 - Priority grassland and woodland habitats within proximity to the site

It is recognised that there is wider landscape permeability for bats from the nearby roost and in the absence of survey information that a precautionary approach should be considered in terms of an impact assessment and proposed mitigation measures.

The proposed site habitat management, creation, and maintenance is broadly acceptable in its concept with the proposed creation and enhancement of woodland, hedgerow, and grassland habitats. However, some of these recommendations are generic can be improved to ensure that potential impacts on horseshoe bats associated with the nearby roost can be minimised.

Key concepts that should be captured include:

- Hedgerows specifically managed for horseshoe bat species on a rotational basis.
- Realistic species-rich grassland creation.
- Woodland management.
- Provision of standard trees within hedges and the grassland.
- Increased woodland/scrub creation through natural regeneration.
- Enhanced western boundary hedge which is heavily managed.
- Provision of permanent water and aquatic/marginal vegetation and varying topography within the attenuation basin.

Given the importance of night roosts for horseshoe batsvi in proximity to maternity roosts, a simple night roost would also be considered as a benefit for the site. VWT have provided some example structures that could be considered. They have also provided some example of specific habitat provision and references in terms of planting for horseshoe bats.

Both SLR and VWT have indicated they would welcome discussion regarding the project. It is recommended that the detailed landscape and habitat management plan be informed by discussion between the parties.

Biodiversity Net Gain

The submitted EcIA, and HLMMP, and Statutory Biodiversity Metric (SBM) consider the development would deliver +10.76% or +2.93 BU of habitat units, and +14.80% or +0.77 BU of hedgerow units.

In terms of the submitted baseline assessment of the site, this appears to be accurate in terms of the habitat identification. It should be noted that all modified grassland parcels fail on criteria A, i.e., 6-8 plants per m2. Not quadrat information is provided, and the species list indicate that the grassland is dominated perennial rye-grass, Yorkshire and a Poa species. Other plant species present (which would also contribute towards the 6-8 species per m2) included common dandelion, white clover, ribwort plantain, buttercup sp., dock sp. and sedge sp. The grassland surveys were undertaken in February and April, and it is possible that the condition of the grassland may be higher than 'Poor' condition.

There are some key considerations regarding the predicted BNG outcome and proposed habitat enhancement and creation measures, and some of these *could* influence the site design, based on the presence of horseshoe bats and use of the SBM.

- The site is within a CSZ of maternity roost of lesser horseshoe bats. Habitats which provide foraging opportunities within a Sustenance Zone around a lesser horseshoe bat maternity roost should have a High Strategic Significance applied.•
- Consideration of habitat requirements for protected species compensation, and how these can contribute towards BNG. At least 10% of the developer's biodiversity units must come from additional activities other than mitigation and compensation required for protected speciesvii. The proposed habitat creation and enhancement provides habitats for protected species including dormice, foraging and commuting bats, nesting birds, and other species.•
- Consideration of the use of proposed habitat enhancements used in the SBM and predicted condition assessments, especially the predicted 'Good' condition other neutral grassland and proposed enhancement of woodland to 'Good' condition.

    - The HLMMP indicates the P8-10 would have three age classes present. However, these would be newly planted woodland habitat so three age classes over a 30-year period are not possible.

    - There are no parcel refences in the submitted metric, so it is hard to identify the proposed interventions in the HLMMP and SBM. For example, the HLMMP makes several refences to P2, which is indicated as the entire eastern field. However, the indicative landscape plan and site plan excludes a large area of this field.

Proposed species rich grassland

It is recognised that the submitted HLMMP is a draft. In consideration of the proposed creation of species-rich grassland, this will need to be informed by evidence and expanded upon. The site is described as farmed grazing land and consists of modified grassland in poor condition, dominated by species indicative of high nutrient levels including perennial ryegrass and buttercup.

Soil analysis should be undertaken to inform realistic proposed habitat conditions and interventions. Buckinghamshire Council provide a useful frameworkviii for assessing the creation of species rich grassland and should be followed to evidence the creation and maintenance of grassland. Grazing, the use of uncut margins, and the use of green hay should also be considered within the management of habitats for horseshoe bat species.

Habitat creation should omit under sowing woodland creation and existing woodland with seed mix. Provision of additional planting on grassland in shady area, e.g., between southern boundary and the acoustic fencing may be suitable. However, as described above, given the existing soil nutrient levels this may not be establish without additional establishment measures.

Consideration also needs to be given to the likelihood of a small margin around the eastern field is capable of being enhanced, e.g., consideration of width, access, adjoining land use etc.

Ground flora in the existing and newly created woodland should be enhanced through management, such as coppicing and providing a mosaic of habitats, e.g., open rides, dense scrub etc.

Hedgerows

Hedgerows on the site will be vital habitat for horseshoe bats (and other protected and notable species). Hedges should be managed as a *minimum* 3 m heigh for horseshoe batsix with standard trees at least every 10 m retained and allowed to grow. There is further scope to enhance the hedges on the through management which should be in accordance with the Hedgelink Management Cycle.

Other

Comments made by the landscape officer should also be captured, such as omitting the use of herbicides. A detailed soft landscaping plan will be required and used to inform the predicted BNG outcome.

3 Conclusions and Recommendations

The submitted information is of a high standard and there are some limited areas that require refining.
The development would result in the direct loss of habitat within a CSZ of a lesser horseshoe bat maternity roost. It is considered that measures could be implemented to mitigate potential impacts on the nearby roost, especially through appropriate management of hedges, additional woodland creation/enhancement and sensitive construction control measures.

There are some further discrepancies with the submitted biodiversity net gain (BNG) proposals and landscaping that need addressing, which could have a bearing on the overall predicted BNG outcome, i.e., the site as present may not achieve a +10% gain for area habitats. Hedgerows should comfortable achieve +10% BNG.

This would need to be informed by a details soft landscaping scheme, refinement of the Habitat and Landscape Management and Monitoring Plan (HLMMP) and amended Statutory Biodiversity Metric (SBM) to address the points raised.

If a +10% BNG outcome for area habitats are not achievable based on the refined details, then off-site provision could be used to account for any deficit, e.g., within the wider ownership boundary.

4 Conditions
Should the development be approved the following conditions are recommend:

- The development shall not commence until a Habitat and Landscape Management and Monitoring Plan (the HLMMP), prepared in accordance with the approved Biodiversity Gain Plan and Soft Landscaping Plan and including:
  - a non-technical summary;o
  - the roles and responsibilities of the people or organisation(s) delivering the HLMMP;o
  - the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;o
  - the management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; ando
  - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
  - has been submitted to, and approved in writing by, the local planning authority.
- Notice in writing, in the form of a landscape verification report completed by a competent ecologist or landscape architect, shall be given to the Council when the habitat creation and enhancement works as set out in the HMMP have been established to define the completion of development and start of the 30-year BNG maintenance and monitoring period.•
- The created, enhanced, and maintained habitats specified in the approved HLMMP shall be managed, monitored, and maintained in accordance with the approved HLMMP.•
- No development shall take place (including ground works) until a Construction and Ecological Management Plan (CEcoMP) has been submitted to and approved in writing by the local planning authority. The CEcoMP shall include the following.
  -Risk assessment of potentially damaging construction activities.
  -Identification of "biodiversity protection zones".
  -Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

-The location and timing of sensitive works to avoid harm to biodiversity features.
-The times during construction when specialist ecologists need to be present on site to oversee works.
-Responsible persons and lines of communication, including reporting compliance of actions to the LPA.
-The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for reptiles, dormice and bats.
-Use of protective fences, exclusion barriers and warning signs.

The approved CEcoMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason:
To ensure that the development has no adverse effect on protected and notable species, provides ecological mitigation and enhancement measures, and to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031.

25.11.24

I have reviewed the updated documents and the response to my previous consultation. Please see below for comments:

Dormice
I would agree that the severance of 30 m of hedgerow is unlikely to cause an issue with landscape scale dispersal. As such, and as indicated in my original response, there are records of hazel dormice c.100m of the site, so they are likely to be present on the site also. I have no issue with the recommended habitat removal methodology, although I would state that the habitat removal should be overseen by an experience ecologist who holds a Natural England dormouse survey licence (not stated in the EcIA or response).

I note in the follow-up response there is no mention in the dormouse section regarding the 430 m visibility splay and the potential impact on dormice, including disturbance and loss of habitat. For example, the Peoples Trust For Endangered Species (PTES) indicate that visibility spays can have a huge impact on dormouse habitat.

Dormice are strictly protected under the Habitats Regulations, and offences include the damage and destruction of their resting sites. Their consultants have taken a view that works can proceed without a mitigation licence, and state they would apply for a licence if evidence were found during the site clearance. I may take a different view on this However, I think the long-term management of the onsite habitats,

especially the woodland and consideration of ash trees, would be the most important consideration.

It would be useful to have the comment regarding the visibility splay addressed, especially given the likelihood of dormice being present on the site.

BNG
The metric has been amended addressing some of my comments, e.g., strategic significance. It is stated in the response letter only one medium size tree is being removed (T40). The tree report indicates that trees T38 and T39 (both medium sized trees) are being removed. It is not clear from the updated tree survey plan either way.

If we consider that one medium size tree is being removed, this equated to an area using the statutory biodiversity metric tree helper to 0.0163 ha. In row 8 of the submitted metric, in indicated an Individual Rural Tree with an area of 0.01 ha retained (column SS). The user comments (column ZZ) states two trees on the site. Therefore, there is an error here.

If we accept that one medium size tree is being removed (T40), then the area (column HH) should be recorded as 0.0163. If it two trees are being removed as indicated in the arb report (T38 and T39), then the area would need to be 0.0326 (using the tree helper). In either way, the area retained column (SS) should remain blank to indicate they would be lost.

The loss of a one or two medium size trees, when considered using the metric, would deliver above 10% BNG but it would also result in a trading rule error. As such, the following the Statutory Biodiversity Net Gain User Guide, the proposal would be in breach of the Rule 1 (trading rules) and the BNG cannot be claimed. This is unlikely to be a significant issue to address given the amount of space n the site for habitat, but it will need addressing.

In terms of the ash dieback position, I would recommend that it is accepted that ash dieback is present on the site. Therefore, any habitat management and monitoring plan (HMMP) used to support the BNG should have a suitable adaptive management regime, e.g., if ash dieback results in a loss of trees during the 30-year BNG maintenance period.

29/7/24

Recommendations
The submitted information is generally of a high quality and the considers there are no predicated significant impacts on designated sites, habitats, or protected species. There are some points of clarification required in terms of ecology relating to dormice and biodiversity net gain (BNG).

o Further clarity is required regarding hazel dormice. In particular, the ecology report appears to underestimate the predicted woody habitat loss and damage which includes the large visibility splay required and amount of direct habitat removal. Given that dormice are known to be present in the nearby New Park Coppice clarity

is required from the project ecologist that the proposed scheme can proceed without undertaking a dormouse nest tube survey and European protected species licence. Further details should be provided on whether any additional planting etc. is required for hazel dormice.

o There are some inconsistencies with the BNG metric and different reports submitted, e.g., some of the condition assessments appear incorrect, incorrect application of strategic significance and lack of rural tree data. The metric should be updated to reflect the Devon County Council Biodiversity Net Gain (BNG) Guidance (April 2024) and Natural England guidance. It is recommended that detailed notes be provided in the revised metric, so any changes are apparent and explained.

o Further clarity should be provided regarding ash dieback on the site and how this will affect BNG, e.g., if any trees are likely to be die/be removed this could have a significant impact on predicted condition assessments and proposed mitigation. Natural England guidance indicates that should medium trees be proposed for removal due to disease then they should be treated as a loss. This could have a significant impact on the proposed BNG predications and landscaping of the site.

Until the above comments have been addressed satisfactory, I would add a holding objection as the changes to the predicted BNG outcomes could be significant and further clarity is required in terms of complying with the Habitat Regulations and the potential presence of protected species on the site, i.e., dormice.

Dorset National Landscape Partnership
23/7/24

Having reviewed the application, it is our overall opinion that the landscape and visual impacts of the proposal that relate to Dorset National Landscape, are relatively localised and comprise impacts from the point of access from the B3165, as well as potential filtered views toward the compound from this road.

Devon County Council Waste Planning
26/6/24

It is recommended that a condition is attached to any consent to require the submission of a Waste Audit Statement prior to the commencement of the development as stated below:

Prior to the commencement of development, a waste audit statement shall be submitted to, and approved in writing by, the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
o The amount of construction, demolition, excavation and decommissioning waste in tonnes, set out by the type of material.

o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition, excavation and decommissioning, along with the methodology for auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.
o The predicted annual amount of waste, in tonnes, that will be generated once the development is occupied.
o Identify the main types of waste generated when development is occupied.
o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site.
o Identify measures taken to avoid all waste occurring.

The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.

Environmental Health
Comment Date: Thu 04 Jul 2024
Please see our comments regarding the submitted Noise Impact Assessment:

Further clarification is required on two points in regard to the applicants' noise assessment. This information is required before any recommendation can be made.
1. In considering the subjective prominence of the character of the specific sounds, it is felt that a greater prominence should be given to low frequency noise (LFN), as LFN is known to be generated by this type of fixed plant & development. I agree that the LFN content is neither tonal, impulsive, or intermittent however, a low frequency 'humming' should be considered to be readily distinctive against the residual acoustic environment and likely to attract additional attention. This is in part due to the site's rural location with low background daytime and night-time sound levels and the close proximity of NSR1.
The acoustic assessment should be reconsidered and where necessary an additional character correction of 3 dB applied. If this character correction is not to be applied a further justification should be provided.

In addition, there does not appear to be a CEMP submitted.

Comment Date: Tue 02 Jul 2024
28/06/2024

Thank you I have reviewed the drawing number FS-01 revA COMPLIANCE WITH NFCC DESIGN GUIDANCE and the Controlled Waters Risk assessment which details the surface water drainage strategy. We are satisfied with the measures to minimise environmental pollution risk from any incidents connected with the proposed development.

From reading the acoustic report, I understand that a Construction Environmental Management Plan has been requested. I do not believe that this has yet been submitted.

I will review the Noise Impact Assessment shortly and will provide a response regarding this.

Comment Date: Tue 25 Jun 2024
I can't find a copy of the sites surface water drainage strategy showing the penstocks and the area covered by impermeable membrane to ensure that fire-water can be contained on Site without infiltrating into the ground or entering any surface water flows. This information is required before I can make any recommendation.

EDDC Landscape Architect
1 April 2025

1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of additional and amended landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 REVIEW OF ADDITONAL/ AMENDED INFOMRATION

2.1 Layout

The battery compound appears to have been adjusted to provide a minimum 4m width access around the perimeter between the proposed fencing and existing field hedges. It would be helpful if notes could be added to both the Site Plan and the Landscape Enhancement and Mitigation Plan to confirm this.

2.2 Access

The revised location of the operational phase to utilise an existing access off Stammery Hill will reduce landscape impacts compared to the previous proposal. Proposals for the access off the B3156 have been amended to avoid the RPA of tree T18. The Landscape Enhancement and Mitigation Plan, Figure-AXP 15.0 February 2025, indicates that the proposals will entail the removal of 17m section of hedgerow for the access and the cutting back of adjoining hedgerow to 600mm over a distance of 34m to the northeast and 11m to the southwest with further trimming back of side growth beyond this to provide required visibility splays. The cut down hedgerow will be maintained at 600mm height during the construction phase and allowed to grow back up subsequently.

During the operational phase it is understood that the B3165 access will only be used for emergencies and continued maintenance of the visibility splay will not be required. However, the 17m width construction phase access is currently shown to remain for the operational phase. This is unnecessary and will have a localised urbanising effect on the boundary of the Dorset National Landscape. To minimise this, the width of the B3156 entrance should be reduced for the operational phase to the minimum necessary to accommodate emergency vehicles and the entrance designed to appear as an agricultural field access with no kerbing,
rather than as a new roadway. Similar design considerations should apply to the Stammery Hill access junction.

Detail design drawings for the proposed site access junctions with the highway for both construction and operational phases should be provided either prior to determination or by condition.

2.3 Landscape mitigation

As requested, additional planting is now proposed to reinforce the existing woodland to the east of the site and the surrounding hedgerows and compensate for potential losses of existing ash trees due to die-back.

2.4 Habitat and Landscape Management & Monitoring Plan – Rev. 2

The Plan is generally comprehensive but is in draft form and some further information is required to complete it. The Plan also needs to be read in conjunction with a detailed planting plan and specification which have not yet been provided. An updated Plan should therefore be required by condition incorporating missing information and addressing various points.

Section 1.3.3 - Roles and responsibilities – currently shown as t.b.c. Need to be confirmed in final version.

Table 1-5 Actions

Existing woodland, trees and hedgerows to be retained

Add new row at top for: Construction phase only - Access visibility splay management - cut back of vegetation from roadsides/sightlines at the Site entrance.

First row – amend Annual safety inspection to include checks for major deadwood and damaged branches and include cut back of vegetation clear of site entrances from roadsides/sightlines at the Site entrance.

Third row, add to end: or through natural regeneration with appropriate protection from browsing damage.

Proposed native hedgerow trees

3rd row: Amend to Weeding around new trees 1m diameter around stem. Amend frequency to monthly through the growing season (March-October inclusive) years 1-3 and Once every three months commencing March years 4-5.

4th row – delete ‘or suitable herbicides’

5th row – delete (slow release fertilizer). Additional fertilizer inputs should not be required in this rural context.

Add new row: Remove stakes and ties once trees are established – years 3-5.

Proposed native tree/ shrub understorey and ground flora

2nd row – Prescription for wildflower seeding. Is this appropriate? The cutting regime for this grassland is given as 1 cut every 3 years cutting 1/3 of area at any one time. This means that each area would be cut only once every nine years. Should it not be ‘cut 1/3 of area on an annual basis’?

3rd row: Tubes and stakes should be inspected at least 2x/ year

4th row: delete fertilizer application

8th row: Hedge cutting should be in accordance with Hedgelink Management Cycle, allowing hedge to increase slightly in height and width at each cut.

10th row: Omit reference to herbicide application

Proposed species rich grassland – the specifications for this need to be informed by results of soil fertility testing.

Proposed swales/ attenuation basin

Detail proposals for seeding/ planting the swale/ attenuation basin are required.

2nd row – define basis for clearance/ cutting - eg maintain approx.. 1/3 of area as wet grass land, 1/3 as perennial aquatic marginals and 1/3 as open water.

Table 3-3

Should there be a target for hedgerow condition?

Table 4-2

Action 1 prescriptions amend as follows:

Planting would typically be a mix of sizes/ ages ranging from 1.8-2.4m high feathers and whips to bare rooted 1+1 transplants that are 40 – 60 cm or 60 – 80 cm tall. Holly would comprise container grown stock in 3 litre pots.

Action 2 prescription. Not sure what the justification for under sowing woodland creation areas and existing woodland with grass seed mix is. It is better to maintain weed free area around base of new plants and encourage existing ground flora within existing woodland by appropriate canopy cover management.

Action 3 prescription. Tree pit specification is not in accordance with best practice. In accordance with BS8545 tree pits should only be excavated to a depth sufficient to comfortably accommodate the rootball/ structure. Back fill should comprise site excavated soils replaced in layers to match surrounding soil horizons and lightly consolidated.

Section 6 Monitoring strategy

Provide details of qualifications required for site monitoring personnel.

Provide details of reporting arrangements and sign-off of making good defects.

Provide details of arrangements for plan review.

3 CONCLUSIONS & RECOMMENDATIONS

3.1 Acceptability of proposals

The proposed scheme will result in adverse landscape impacts within the site due to loss of existing grassland and introduction of industrial infrastructure within a rural setting, with lesser effects on the host landscape and Dorset National Landscape. However, the site is situated adjacent to existing solar farms to the east and south which form part of the local landscape context and existing trees and hedgerow will be retained with the exception of localised hedge breaks to form the access off the B3165.

There would also be locally significant visual impacts on visual receptors in the vicinity of the proposed construction phase access off the B3165. Construction phase effects would be temporary lasting for a few months. Subsequently the entrance should be reduced in width sufficient to accommodate emergency vehicles. Subject to this requirement, and acceptable detail junction design secured by condition, the visual and landscape effects of the proposed access would be temporary and could be effectively mitigated in the short -medium term on completion of site works.

Presently the site is well contained and not readily visible within the local or wider landscape apart from partial, glimpsed and heavily filtered views through existing perimeter field openings adjacent to public roads and along its northeastern boundary where an adjacent permissive bridleway has recently been agreed.
For the above reasons the submitted scheme could be considered acceptable in terms of landscape and visual impact subject to amendment of the proposals for the operational phase emergency access off the B3165 either prior to determination or through condition.

4.2 Conditions

Notwithstanding the above advice and the submitted details, should the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted to and approved by the LPA:

a) Soft landscape planting plan together with a plant schedule and specification covering soil quality and depth; soil preparation; planting and sowing; mulching; means of plant support and protection during establishment period and 5 year maintenance schedule.
b) Tree pit and tree staking/ guying details.
c) Details of proposed colour finishes to fencing and housings for inverters, storage units batteries and CCTV masts, including relevant BS/ RAL reference.
d) Details of proposed under and over ground cable and water supply routes together with method statements for taking underground cables through any hedgebanks and tree RPAs.

e) Construction details for proposed hardstandings, trackways, highway junctions and associated kerbing and edgings.
f) Detail plan and sections for the proposed swale and attenuation basin and associated soil make up. The design should include for creation of an area of permanent standing water.
g) Locations of proposed CCTV cameras.
h) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan. External lighting shall be designed to minimise light-spill and adverse impact on dark skies/ bat foraging and commuting in accordance with Institute of Lighting Professionals (ILP) guidance notes GN01 2011 – Guidance notes for the reduction of obtrusive light and GN 08/18 – Bats and Artificial Lighting in the UK.
i) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites – DEFRA September 2009, which should include:
• a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.
• methods for stripping, stockpiling, re-spreading and ameliorating the soils.
• location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
• schedules of volumes for each material.
• expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
• identification of person responsible for supervising soil management.
j) A phasing plan for construction.

2) Notwithstanding the submitted details a Landscape and Ecology Management Plan (LEMP) for a minimum 30 year period following completion of the development (or relevant phase thereof) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Plan shall be based on the submitted Ecological Impact Assessment and draft Habitat and Landscape Management and Monitoring Plan and required detailed planting plans and specifications, incorporating amendments noted under section 2.4 above and shall include the following:

a) Details of the body or organisation responsible for implementation of the plan accompanied by a site plan showing areas to be adopted; maintained by management company or other defined body; and areas to be privately owned/ maintained.
c) A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.
d) Landscape and ecological management aims and objectives for the site.
e) A condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
f) Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works (including an annual work plan capable of being rolled forward over a minimum 30-year period. in relation to:

- Existing trees, woodland and hedgerows/banks. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgelink guidance.
- New trees, woodland areas, hedges and amenity planting areas.
- Grassland, wildflower and any other habitat areas proposed.

g) The location and design of biodiversity features including bird boxes, bat boxes, and other features, e.g., permeable fencing, to be shown clearly on accompanying plans.

h) Details regarding the proposed reptile translocation, including receptor site details in accordance with .GOV guidance

i) Boundary structures, drainage swales, water bodies.

j) Arrangements for inspection and monitoring of the site and maintenance practices.

k) Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.

l) The Plan shall also set out (where the results from monitoring show that its conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved Plan shall be implemented in accordance with the approved details.

3) No site works shall begin until a detailed decommissioning plan has been submitted for reinstatement of the site at the termination of the consent period or in the event that the proposed development ceases to operate prior to that. The plan should cover the removal of all site infrastructure and identify any areas of new habitat creation/ planting to be retained. The plan should show how the site will be returned to agricultural use and shall include a demolition and restoration programme.

4) The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use.

5) No trees, shrubs, hedges or grassland habitat within the site which are shown as being planted or retained/ enhanced on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs, hedges or grassland habitat removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

EDDC Landscape Architect
26.11.24

The applicant has commented (Clearstone Energy letter 9.10.2024) on the previous landscape response. These are set out below with further landscape officer response in red.

It is noted that the landscape consultee has questioned the methodology regarding the photographs used in the LVA, stating that they do not follow best practice. The Applicant states that the viewpoint photography was presented to include a 90 degree horizontal angle on an A1 page width. It is possible to provide a single frame extraction from the panoramas, however this would not alter the assessment judgements contained within the body of the submitted LVA. In the interests of accuracy, transparency and accessibility, single frame A3 images should be provided as most people viewing the application will not have access to A1 printing facilities required to view the submitted images at correct scale and curvature.

The consultee makes reference to National Landscapes being scoped out of the assessment and the potential impact on such landscapes due to tree loss. The Applicant confirms that the Blackdown Hills AONB/National Landscape was scoped out due to the intervening distance between the designation and the application site, the local vegetation coverage, the topography of the land between the designation and the Site and due to its location outside of the defined 'study area'. Please note that the Dorset AONB/National Landscape was included in the LVA which concludes that the visual impact on the designation would diminish with distance and further reduce as the proposed landscaping proposals mature. The LVA confirms that the existing solar farms in the locality form part of the baseline conditions. It is accepted that the Blackdown Hills NL can be scoped out of the study for the reasons noted. It is also accepted that effects on the Dorset NL dimmish with distance. However, the Dorset NL boundary in the vicinity of the site roughly follows the line of the B3165 but includes a strip along the southeastern boundary of the adjacent field which will be affected by proposed access and visibility splay requirements which the LVA does not adequately address, and which are likely to be locally significant. Further detail is required on the extent of hedge removal and cutting back as well as junction design to better asses this. If the construction and emergency access is to be created at the proposed location, then there should be separate designs for construction and operational phase with the construction phase configuration reduced to the minimum dimensions to permit emergency access vehicles and the strip of access land connecting to the main site field should be planted as woodland to better screen the trackway and site infrastructure from the road entrance.

The landscape consultee makes reference to 'ash die-back' (this has also been

highlighted by the District Ecologist). The Applicant considers many of the ash trees to be in good to fair condition and have a minimum of 40 years of life remaining. Given that the Proposed Development is 'temporary' with the Site being decommissioned and returned to agricultural use after 40 years, the ash trees are considered to be appropriate for retention for the lifetime of the project. The Applicant proposes that the management of ash trees that may be prone to die-back before the cessation of the project, is specified via a detailed Landscape Plan secured by a suitably worded condition. It is agreed that a tree, and woodland management plan, including rejuvenation planting to enhance existing structure and compensate for tree losses likely to occur during the development lifespan, could be secured by appropriate condition.

The consultee has queried the proximity of the compound to the main field, the Applicant can confirm that there is sufficient set-back from the boundary hedges for safe maintenance. Further clarification is required. In the northwest corner of the host field in particular it appears that there would be significant encroachment into existing boundary vegetation. A minimum 4m margin should be provided between the perimeter of the compound and the face of existing boundary hedges. This should be clearly annotated on the proposed site plan.

The consultee comments on the potential to move the emergency access due to potential harm to vegetation. The Applicant states that the harm is considered to be negligible and involves the removal of minimal vegetation, furthermore, the Proposed Development would generate a significant BNG, well in excess of the mandated 10%. Additionally, alternative access point options are severely limited by the Applicants land agreements, making moving the emergency access unfeasible. The Applicant notes the consultee's comments questioning the need for the acoustic fence. The acoustic fence is a requirement and further details are provided under separate cover within the Inacoustic letter (ref. 23-015) which addresses noise concerns in general. The photograph below shows the proposed access viewed from Stammery Hill. The present opening is narrow and there is a notable level difference between the field and road which will entail grading works. No levels information or detail has been provided for the design of this junction and without this it is not possible to understand the extent of grading required and the likely impact on the adjacent hedgebank and mature trees. Such information is required prior to determination of the application. Notwithstanding this, the new access road and creation of a new road junction will be clearly visible in the vicinity of the entrance from both the adjacent road and the bridleway opposite and is likely to introduce kerbing and the need for cutting back the hedgeline to provide required visibility splays. These changes will have an adverse impact on the undeveloped character of this section of Stammery Hill, all of which could be avoided by utilising the existing field access to the south as indicated in my previous response. If the landowner is keen for the proposals to proceed, it is very likely that adjustments to the agreement can be made with him/ her to vary the operational access route accordingly. Comments regarding the need for acoustic fencing are noted but I am unable to find a copy of the InAccoustic letter referred to and would be grateful if a copy could be forwarded.

Figure 1- View of proposed operational access location off Stammery Hill

Additional Landscape Comments

No response has been made to other comments in my previous response in respect of mitigation planting and permanent standing water within the proposed attenuation basin and these should be addressed.

I maintain a holding objection to the proposals pending amendments and additional information as noted.

Conditions

Notwithstanding the above advice and the submitted details should the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted to and approved by the LPA:

a) A full set of soft landscape details including:

i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.

ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.

b) Soft landscape specification covering soil quality and depth; soil preparation; planting and sowing; mulching; means of plant support and protection during establishment period and 5 year maintenance schedule.

c) Tree pit and tree staking/ guying details.

d) Details of proposed colour finishes to fencing and housings for inverters, storage units and batteries, including relevant BS/ RAL reference.

e) Details of proposed under and over ground cable and water supply routes together with method statements for taking underground cables through any hedgebanks and tree RPAs.

f) Construction details for proposed hardstandings, trackways and associated kerbing and edgings.

g) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites – DEFRA September 2009, which should include:

- a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.
- methods for stripping, stockpiling, re-spreading and ameliorating the soils.
- location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
- schedules of volumes for each material.
- expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
- identification of person responsible for supervising soil management.

h) A phasing plan for construction. This should identify the early construction and planting of Devon hedgebanks to ensure that turves from site excavations are available for construction of the banks themselves and to enable associated planting to establish as soon as possible.

2) No site works shall begin until a site-specific Landscape and Ecology Management and Maintenance Plan has been submitted to and approved in writing with the Local Planning Authority. This shall set out responsibilities for maintenance within the site and cover the construction, establishment, management and ongoing maintenance of landscape elements and bio-diversity measures. The Plan shall set out the landscape and ecological aims and objectives for the site along with the specific management objectives for each landscape/ ecological component, and the associated maintenance works required on an Annual and Occasional basis. Details of inspection, monitoring and reporting arrangements shall also be provided.

The plan shall include an as-existing condition survey for each length of hedge, identifying its position on the Hedgelink hedge management cycle, any initial works required to bring to good condition, such as gapping up, removal of invasive species etc. and requirements for cutting including intended height range, cutting height and frequency.

The Plan shall cover a period of not less than 30 years following the substantial completion of the development and shall be reviewed every 5 years and updated to reflect changes in site conditions and management prescriptions in order to meet the stated aims and objectives.

Management, maintenance inspection and monitoring shall be carried out in accordance with the approved plan for the duration of the operational phase of the development.

3) No site works shall begin until a detailed decommissioning plan has been submitted for reinstatement of the site at the termination of the consent period or in the event that the proposed development ceases to operate prior to that. The plan should cover the removal of all site infrastructure and identify any areas of new habitat creation/ planting to be retained. The plan should show how the site will be returned to agricultural use and shall include a demolition and restoration programme.

4) The works shall be carried out in accordance with the approved details. Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) of the East Devon Local Plan.

Chris Hariades CMLI
EDDC Landscape Architect & Green Infrastructure Officer

EDDC Landscape Architect
25.7.24

1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 LOCATION, SUMMARY PROPOSALS, SITE DESCRIPTION AND CONTEXT

The site is situated on a landscape plateau to the northwest of Blackpool Corner. Surrounding land-use to the north and east is predominantly agricultural with some large areas of woodland. Extensive solar farms are situated immediately to the west and southwest of the site and further largescale solar farms and the National Grid Axminster sub-station are situated some 1-2.2 km to the northeast.

The site comprises a level, rectangular field within which the battery storage compound is proposed to be sited, linked to the county highway network by two proposed access routes over adjacent fields to the north and east. The eastern access off the B3165 is intended as the principal access for both construction and operational phases, while the northern access off Stammery Hill is intended primarily for emergency services access. The site will be connected to the electricity grid via underground cabling extending along the line of the proposed emergency access route and then via Stammery Hill, the B3165 and Pound Road to the Axminster sub-station entrance, a distance of 2.7km.

The main field where the battery compound is to be constructed and the field to the south are pasture, while the field to the east is presently under arable. The fields are bounded by historic hedgebanks with numerous outgrown trees with a narrow strip of mature woodland separating the main field from the field to the north. Both the woodland and hedgebanks contain a high proportion of mature ash trees most of which are showing advanced symptoms of Chalara ash die back.

There is no public access within the site and the nearest publicly accessible locations are Stammery Hill and the B3165 in the vicinity of the proposed site entrances, and a new permissive bridleway which is to be provided as part of the s106 agreement for the Beavor Grange solar farm adjacent to the northwestern site boundary. Hawkchurch bridleway 33 emerges on to Stammery Hill almost opposite the proposed emergency site access. The nearest residential properties are situated at Blackpool Corner between 150 to 700m to the northeast but are unlikely to have views of the main site. Views from and into the site are presently heavily constrained by existing boundary vegetation and largely limited to a few access gates.

There are no landscape designations covering the majority of the site, but the Dorset AONB boundary encroaches over the eastern site extent.

3 REVIEW OF SUBMITTED INFORMATION

3.1 LVA

Methodology

The methodology is in line with industry standard guidance.

The study area and selection of viewpoints are generally appropriate but a view and assessment of the visual impact at the proposed main entrance to the site off the B3165 should also have been included.

Viewpoint photographs are presented as wide-angle panoramas with 90 degree horizontal field of view. This is not in accordance with best practice guidance[1] which recommends where possible the use of single frame photographs with approximately 40degree horizontal field of view presented at A3 size to best represent the actual viewing experience. The effect of wide-angle panoramic views is to under-represent the actual scale and prominence of the site in the view particularly as most viewers will be viewing the images on screens much smaller than A1 size.

The Blackdown Hills and Dorset AONBs have been scoped out following preliminary assessment. While it is agreed that there are unlikely to be adverse landscape or visual impacts on the Blackdown Hills AONB, the creation of the principal access off the B3165 will entail notable tree and hedgerow loss which will have localised landscape and visual impact on the Dorset AONB which should have been considered further.

Landscape baseline

The landscape baseline is generally comprehensive. Noticeably missing is an assessment of the condition of landscape features within and along the boundaries of the site, particularly trees. There is a high proportion of mature ash amongst the site trees, many of which are displaying signs of advanced Chalara die-back with likely limited life expectancy. This oversight is probably due to site visits being carried out in winter when the effects of the disease are less obvious. The extent of infection is clearly seen in the recent summer picture (fig. 1) below and is similarly apparent amongst the trees along all the boundaries of the main field.

Likely landscape and visual effects of the proposals

The nature of the proposals is generally clearly described. However, the loss of landscape elements listed under LVA section 4.4 should have included 26m hedgerow clearance to hedge H4 to accommodate abnormal load turning off the B3265 as indicated on Swept path analysis - Heavy load mover, dwg. no. SK03-D and the further clearance and cutting back of this hedge to either side of the entrance to create the required 2.4 x 215m visibility splay (430m total length) as indicated on Swept path analysis, dwg. no. SK01-C.

[1] Visual Representation of Development Proposals - Technical Guidance Note 06/19 Landscape Institute 2019

Figure 1 - View from northwest corner of main field towards southeastern boundary showing extent of dead/ dying ash

Assessment of effects on landscape character, elements and designations

The LVA assessment of sensitivity of the host landscape as Medium-High is accepted. The assessment of level of landscape effects is generally accepted apart from the impact on landscape fabric on the site and in particular at the proposed access points where effects are considered to be locally significant adverse due to the extent of tree and hedgerow loss and roadway construction works involved.

Appraisal of effects on visual amenity and visual receptors

The LVA visual appraisal findings of minor to negligible visual effects are broadly accepted with the exception of the following:

The sensitivity of walkers, cyclists and horse riders on local roads and rights of way should be considered **high** rather than **moderate-high**.

In respect of view point 2, visual effects should be considered **moderate adverse** at year 15 rather than **minor**.

The visual assessment should have considered the visual impact on users of the B3165 of the proposed principal site access. The extensive loss and cutting-back of existing hedgerow and some trees together with the construction of the new junction access and site roadway is likely to have **moderate adverse** visual impact at year 15.

The visual assessment should also have considered users of the proposed permissive bridleway adjacent to the northwest site boundary although, given the visibility of the adjacent Beavor Grange solar farm, which is not screened from this path, receptor sensitivity would be reduced to medium

while the limited visibility of the site over the existing boundary hedge is likely to give rise to a low level of effect.

Other landscape related information

Site layout dwg. no. AXP4.0 rev A

The battery storage compound appears on the site plans to be very close to the northwestern and southeastern boundaries of the main field. Clarification should be provided that there is a minimum 4m width corridor between the perimeter security fence and the field boundary hedges or the layout should be adjusted to ensure this is the case, in order to provide adequate maintenance access.

Access

The proposed access arrangements are likely to give rise to significant, localised adverse landscape and visual impacts which could be avoided by alternative provision, as illustrated in the overmarked aerial image in figure 3 below. This would avoid any tree losses with the exception of a new opening required in the southeast corner of the main field where the clearance of a single ash with significant die-back symptoms would be required.

Figure 2 -View of existing 5m access in northeast corner of northern field which is adequate to provide operational phase access through the northern field without further widening or loss of adjacent trees

Landscape and ecological mitigation and enhancement strategy Fig. AXP 15.0

The proposals require amendment in respect of site access provision to reflect comments above.

Further mitigation measures are required to address the prevalence of ash die-back in the existing tree stock and to provide further landscape enhancement in the medium-long term.

The proposed aquatic habitat should include for a body or permanent standing water to maximise biodiversity benefit.

The proposed copse in the northeast corner of the site should include large canopy tree species in the mix such as oak and hornbeam.

Acoustic barrier

A 4m high solid timber acoustic barrier is proposed to the northeast, southeast and southwest sides of the BESS compound. It is not clear what evidence this is based on as the submitted noise assessment makes no reference to an acoustic barrier being required. Clarification should be provided on this point.

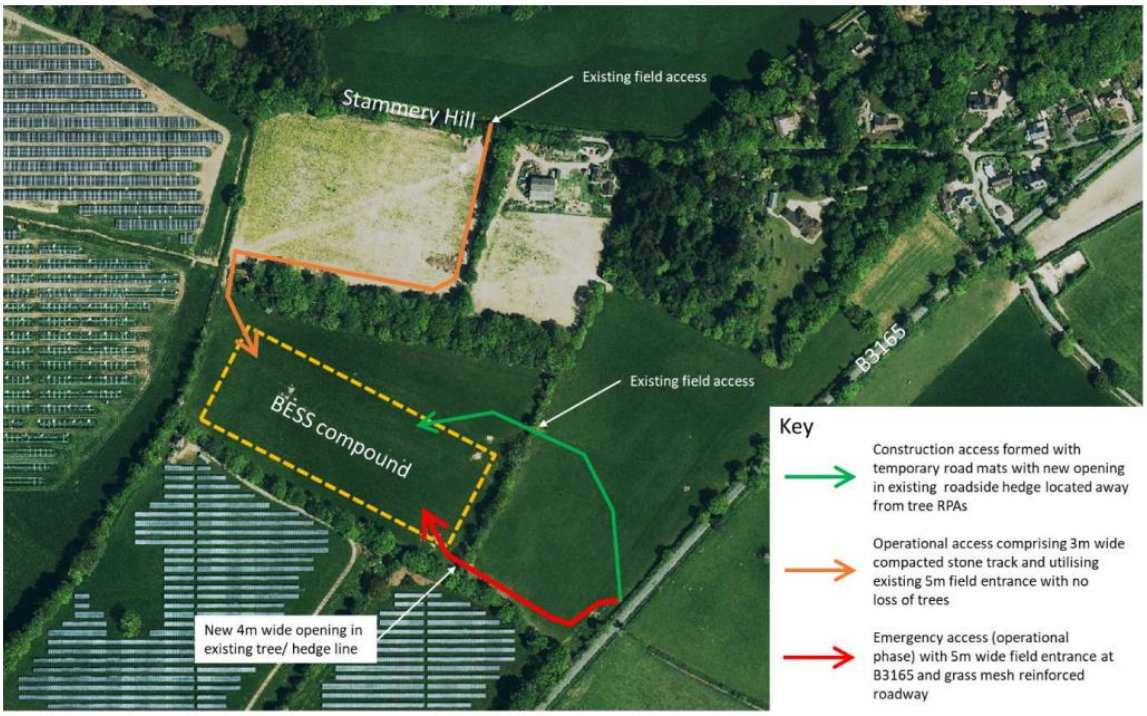


Figure 3- Aerial image of site showing alternative access arrangements to minimise tree and hedgerow loss

4 CONCLUSIONS & RECOMMENDATIONS

4.1 Acceptability of proposals

The proposed scheme will result in locally significant adverse landscape impacts on the host site due to loss of existing grassland, proposed tree and hedge clearance and introduction of industrial infrastructure within a rural setting, with lesser effects on the host landscape and East Devon AONB. There would also be locally significant visual impacts on visual receptors in the vicinities of the proposed site access points.

Presently the site is well contained and not readily visible within the local or wider landscape apart from glimpse and heavily filtered views through existing perimeter field openings adjacent to public roads and along its northeastern boundary where an adjacent permissive bridleway has recently been agreed.

Mitigation measures proposed to improve screening of the site in the medium to long term fail to take account of advanced ash die back evident in a high proportion of trees around the site. The likely loss of these would reduce the effectiveness of existing and proposed vegetation to screen the proposed development or to provide enhancement of the overall site and further replacement tree planting and management measures are required to address this issue.

For the above reasons the submitted scheme is considered unacceptable in terms of landscape and visual impact and fails to provide adequate enhancement. However subject to receiving satisfactory amendments addressing the issues raised in section 3 above in particular in respect of access and mitigation measures these objections could be overcome.

4.2 Conditions

Notwithstanding the above advice and the submitted details should the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted to and approved by the LPA:

a) Soft landscape specification covering soil quality and depth; soil preparation; planting and sowing; mulching; means of plant support and protection during establishment period and 5 year maintenance schedule.

b) Tree pit and tree staking/ guying details.

c) Details of proposed colour finishes to fencing and housings for inverters, storage units and batteries, including relevant BS/ RAL reference.

d) Details of proposed under and over ground cable and water supply routes together with method statements for taking underground cables through any hedgebanks and tree RPAs.

e) Construction details for proposed hardstandings, trackways and associated kerbing and edgings.

f) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites – DEFRA September 2009, which should include:

- a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.

- methods for stripping, stockpiling, re-spreading and ameliorating the soils.
- location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).
- schedules of volumes for each material.
- expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
- identification of person responsible for supervising soil management.

g) A phasing plan for construction. This should identify the early construction and planting of Devon hedgebanks to ensure that turves from site excavations are available for construction of the banks themselves and to enable associated planting to establish as soon as possible.

2) No site works shall begin until a site-specific Landscape and Ecology Management and Maintenance Plan has been submitted to and approved in writing with the Local Planning Authority. This shall set out responsibilities for maintenance within the site and cover the construction, establishment, management and ongoing maintenance of landscape elements and bio-diversity measures. The Plan shall set out the landscape and ecological aims and objectives for the site along with the specific management objectives for each landscape/ ecological component, and the associated maintenance works required on an Annual and Occasional basis. Details of inspection, monitoring and reporting arrangements shall also be provided.

The plan shall include an as-existing condition survey for each length of hedge, identifying its position on the Hedgelink hedge management cycle, any initial works required to bring to good condition, such as gapping up, removal of invasive species etc. and requirements for cutting including intended height range, cutting height and frequency.

The Plan shall cover a period of not less than 30 years following the substantial completion of the development and shall be reviewed every 5 years and updated to reflect changes in site conditions and management prescriptions in order to meet the stated aims and objectives.

Management, maintenance inspection and monitoring shall be carried out in accordance with the approved plan for the duration of the operational phase of the development.

3) No site works shall begin until a detailed decommissioning plan has been submitted for reinstatement of the site at the termination of the consent period or in the event that the proposed development ceases to operate prior to that. The plan should cover the removal of all site infrastructure and identify any areas of new habitat creation/ planting to be retained. The plan should show how the site will be returned to agricultural use and shall include a demolition and restoration programme.

4) The works shall be carried out in accordance with the approved details. Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) of the East Devon Local Plan.

Chris Hariades CMLI
EDDC Landscape Architect & Green Infrastructure Officer