AGENDA ITEM NO 8

24/00160/ESF

Site At Anchor Lane Farm

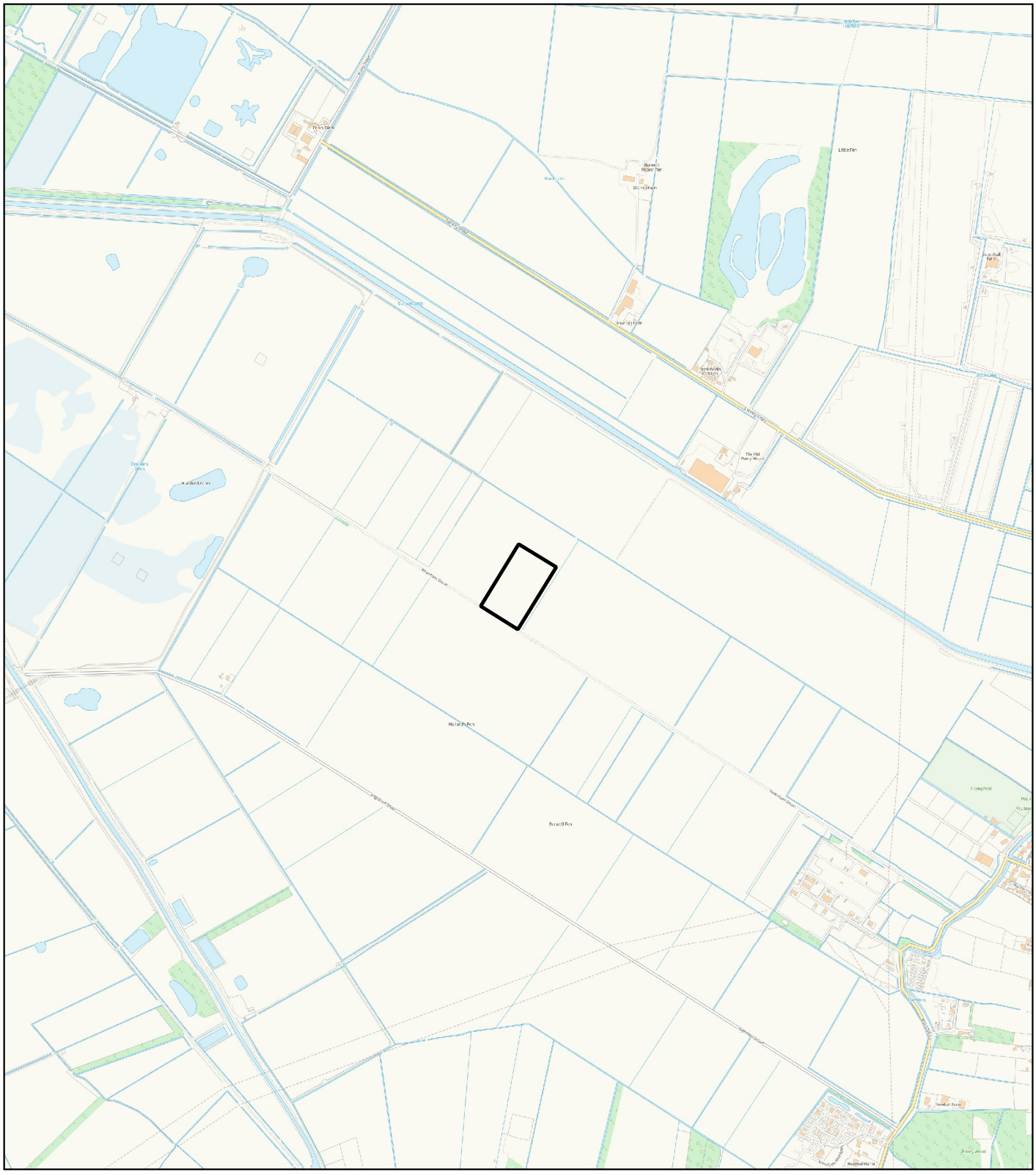
Newnham Drove

Burwell

Battery energy storage facility and associated works

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S8R4XWGGJKQ00



24/00160/ESF

Site At Anchor Lane Farm
Newnham Drove
Burwell

East Cambridgeshire
District Council

Date: 24/10/2024
1:15,000

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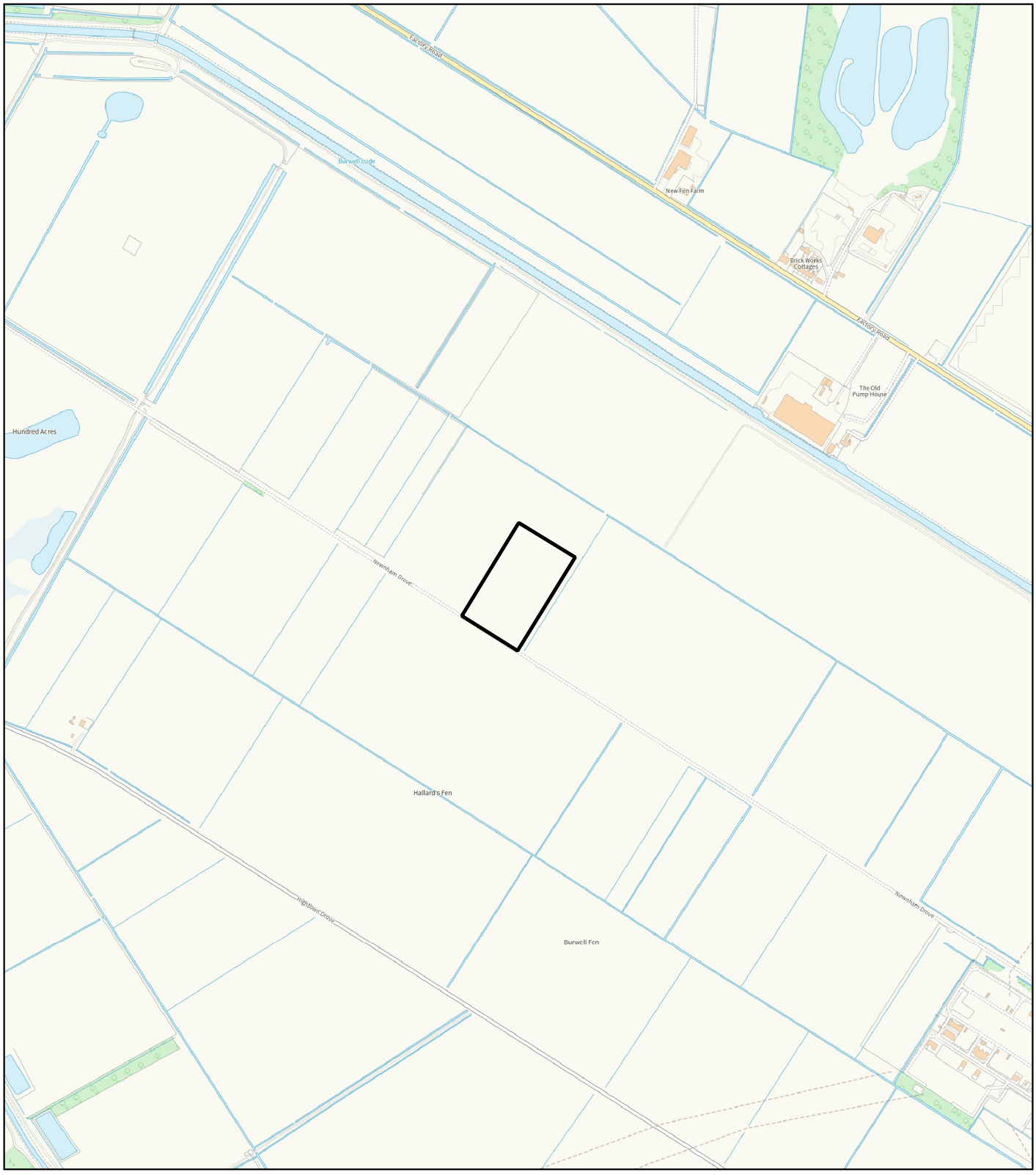

24/00160/ESF

Site At Anchor Lane Farm
Newnham Drove
Burwell

East Cambridgeshire
District Council

Date: 24/10/2024
1:10,000

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AGENDA ITEM NO 8

TITLE: 24/00160/ESF

Committee: Planning Committee

Date: 6 November 2024

Author: Senior Planning Officer

Report No: Z84

Contact Officer: Holly Durrant, Senior Planning Officer
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01353 616360
Room No 011 The Grange Ely

Site Address: **Site At Anchor Lane Farm Newnham Drove Burwell**

Proposal: **Battery energy storage facility and associated works**

Applicant: **Burwell AL Ltd**

Parish: **Burwell**

Ward: **Burwell**
Ward Councillor/s: David Brown
Lavinia Edwards

Date Received: **1 July 2024**

Expiry Date: **15 November 2024**

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to following terms:

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement to secure biodiversity net gain the Planning Manager; and,

2. Following the completion of the S.106, application 24/00160/ESF be approved subject to the planning conditions at **Appendix 1** (and summarised below); or,

3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 legal agreement.

(Summarised conditions)

1 Approved Plans
2 Time period for implementation
3 Construction hours
4 Temporary consent – 40 years and 6 months
5 Landscape Ecological Management and Monitoring Plan
6 Construction Environmental Traffic Management Plan
7 Archaeological investigations
8 Detailed surface water drainage scheme
9 Full details of plant and equipment
10 Details of fire-fighting water supply
11 Hard landscaping
12 Flood Action Plan
13 Risk Management Plan, Emergency Response Plan, Incident Response Plan, and Operation & Maintenance Plan
14 Soft landscaping works
15 Noise Verification Report
16 Mitigation measures for non-compliance with noise verification report
17 Noise Management Plan
18 External lighting
19 Biodiversity enhancement measures
20 Low frequency noise exceedance
21 Access road and hardstanding drainage
22 Decommissioning (prior to expiry of consent or planned cessation)
23 Decommissioning (in event of becoming non-operational)
24 Ecological mitigation during construction and operation
25 Unexpected contamination

\+ Mandatory Biodiversity Net Gain Condition

2.0 SUMMARY OF APPLICATION

2.1 As set out within the Applicant's Planning Statement, the application proposals comprise the delivery of a *"49.95MW Battery Energy Storage Facility (BESF) on a 3-hour system to provide energy balancing services to the National Grid. This type of facility operates by taking electricity from the Grid at times of low demand, storing it in batteries, and releasing it back to the Grid when demand is high. Energy storage facilities therefore improve the efficiency of existing energy production facilities, notably from renewables where production is intermittent and based on external conditions."* The Applicant is seeking consent for a period of 40 years (operational period), with a commencement period of 3 years. The Applicant already benefits from a grid connection.

2.2 The compound will be served via Newnham Drove, an adopted unclassified road, and will be surrounded by an emergency access road. An acoustic screen in the form of a 2.5-metre-high bund surrounds the site, enclosing the access road, compound and associated infrastructure.

2.3 The full proposed site layout is illustrated on the drawing Site Layout - Overview (ref. ALP-CB25-0AH-02 Rev F, comprising the following equipment all to be mounted on concrete plinths, or screw piles:

- 1 no. DNO (Distribution Network Operator) Control Room with an approx. height of 4.8m;
- 78no. TrinaStorage BES Containers with an approx. height of 3.2m;
- 13no. Power Conversion System with an approx. height of 3.4m;
- 1no. Power Plant Controller with an approx. height of 3.3m;
- 1no. 33 kV Customer Switch Room with an approx. height of 4.8m;
- 1no. 132/33 KV Transformer with an approx. height of 7m;
- 1 no. T-AUX Transformer with an approx. height of 3m;
- 23no. Internal Pole lighting with an approx. height of 3.2m (8 of them also contain CCTV).

2.4 The site lies wholly within Flood Zone 3 and is supported by a Flood Risk Assessment, Fire Rescue Safety Management Plan and Fire Water Management Plan. The development will be underpinned by by a comprehensive surface water drainage strategy. The site is to be primarily drained via herringbone permeable paving and a perimeter filter drain around the development extents, discharging to a lined attenuation pond to the north of the site to prevent discharge to ground of potentially contaminated run off. The site would ordinarily discharge from the pond into the nearest IDB watercourse at controlled rates.

2.5 A full soft landscaping scheme is proposed emulating a traditional fen landscape, as is a targeted 58.48% biodiversity net gain. The bund and site are to be landscaped with new native tree, shrubs and meadow planting.

2.6 The application has been referred to Planning Committee by the Interim Planning Manager due to the nature of the development.

2.7 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link **http://pa.eastcambs.gov.uk/online-applications/.**

2.8 For the avoidance of doubt, the terms Battery Energy Storage System (BESS) and Battery Energy Storage Facility (BESF) are used interchangeably in this report and supporting information and their meaning is the same.

3.0 PLANNING HISTORY

3.1 The site has no direct planning history. However, it is relevant that under LPA Ref. 20/0557/ESF (and later 22/00160/VARM) consent was granted for a c.80-hectare solar development, which sits immediately to the east and south of the site. The solar development is built out and operational.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site measures c.2.32-hectares (c.5.73 acres) and comprises an agricultural field falling within Grades 2 and 3a agricultural land (considered to be 'Best and Most Versatile (BMV) for the purposes of the National Planning Policy Framework (Grades 1 – 3a).

4.2 The site lies wholly within Flood Zone 3. The site is not covered by any formal landscape designations but falls within the Fenland Landscape Character Area (local) as set out within the Cambridgeshire Landscape Guidelines 1991. The site does not lie within or nearby a Conservation Area or any designated or non-designated heritage assets.

4.3 The site lies within the SSSI Impact Risk Zone Consultation Area for Wicken Fen. The site is also within proximity to the Wicken Fen RAMSAR, Fenland SAC, Cam Washes SSSI and Upware South SSSI but does not fall within any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site.

4.4 There are several public rights of way and informal routes surrounding the application site, providing routes into Wicken Fen and the surrounding countryside. These include Footpath CB Burwell 7 and Footpath CB Burwell 6#1 and Footpath CB Burwell 6#2, which run along Burwell Lode to the north and provide in part elevated views across the site. Footpath CB Burwell 9 running north-south to the west of the site. Newnham Drove also acts as a link route to National Cycle Route 11 and into Wicken Fen.

4.5 The site is well-removed from residential properties and businesses, with the nearest dwellings including Priory Cottages, Brick Work Cottages, and New Fen Farm, all along Factory Drove to the north, in excess of 500 metres (547 yards). The McGowan Rutherford Ltd factory is also located along Factory Drove, as is the Burwell Scout Hut.

5.0 RESPONSES FROM CONSULTEES

5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Parish - 13 March 2024
"Please ensure lighting is environmentally friendly and screened from residential properties. Adhere to advice from consultees."

Parish - 31 July 2024
"Liz Swift proposed that all consultees responses to be taken into consideration and be able to review the outcomes of this. Clive Leach seconded the proposal. Proposal agreed by all."

Parish - 9 October 2024
"The Parish Council request that there needs to be an emergency number to contact when alarms sound as local councillors are being called in the middle of the night. Nearby residents are concerned about the noise - it was noted that environmental

health have requested this is measured, but we have concerns about how this would be effective with additional road noise. We take the advice of other consultees and that they have requested."

Ward Councillors - No Comments Received

Design Out Crime Officers - 8 August 2024
"Fencing/Gates:
Having viewed the documents, I note the positive changes made, the introduction of acoustic gates to the primary access points in line with the 2.5m bund within the external boundary, (both the main gate and secondary gates), the addition of palisade fencing around the perimeter to complement the DNO compound. Whilst it should be noted I would always recommend black or green security tested fencing (LPS1175 Issue 7 Security Rating 2 A3+) anti-cut, anti-climb, close welded mesh panel, the introduction of Palisade fencing is an improvement on the deer fencing and should offer additional delay, I would recommend that this fencing is set into the ground to further delay would be offenders.

Acoustic gates:
Having viewed the design for the acoustic gates, these appear to be of a robust design, however, there are two openings within these gates where the flat slide latches are positioned, these could provide a foot hold, I would recommend that some form of cover/grill be positioned over these to prevent climbing whilst enabling access. Could you clarify if these gates will be padlocked or on an access control system?

Lighting and CCTV.
I understand the applicants' comments regarding lighting, if the lights are emergency activation only, the CCTV must be fitted with infrared capabilities to provide facial recognition, should the lights fail or not trigger. As per my previous comments dated 1st March 2024."

Design Out Crime Officers - 7 October 2024
"Thank you for the opportunity to comment on this revised planning application having viewed the documents my previous comments dated 1st March 2024 still stand. As previously mentioned, I would like to see a design all fencing types being proposed for the solar farm."

Design Out Crime Officers - 1 March 2024
"Having viewed the documents, I have the below comments. I would like to see the proposed fencing for the site once available.

Nationally there has been an increase in reported thefts associated with solar farms, experience would suggest that installing large amounts of expensive and desirable equipment (E.G. Solar Panels and associated cable and infrastructure) in isolated rural locations will attract criminals. It should be noted that some of the offences have involved violence). A location in Norfolk has experienced repeated attacks, where over half a million pounds of cable was stolen, and evidence that further cable had been prepared for a return visit. It is important that these farms are enclosed with appropriate security fencing as mentioned below in this response.

I am aware planning has been approved for the adjacent field the risks of crime increase with larger instillations.

It is important appropriate and proportionate security measures, are considered this should be to be on a site-specific basis. Basic crime prevention is about putting layers of security in place to delay and deter criminals. As well as physical security measures such as fencing, there must be either sufficient natural surveillance, monitored electronic security measures, or both prompting an appropriate response.

o Fencing - the planning document proposes the use of deer fencing, this type of fencing, provides demarcation but is not secure, sites of this nature should be enclosed with black or green security tested (LPS1175 Issue 7 Security Rating 2 A3+) anti-cut, anti-climb, close welded mesh panel fencing which generally has a low visual impact while also providing a good level of site security and surveillance. Keeping the existing hedging, and landscaping to a level-maintained height of 1metre, defensible planting will assist with site security, security fencing should be installed on the solar farm side of the existing hedgerow without hindering surveillance.

o Lighting - A fully qualified lighting engineer should be able to design a lighting plan to provide security and safety of people and the property on site as well as reducing the effects on ecology and local wildlife habitat. Consideration could be given to utilising a PIR system which operates when motion is detected and incorporates a slow rise in the lighting level, minimising glare, and light pollution. This must link in with the CCTV plan to ensure that it would provide the correct images for evidential requirements and facial recognition should the need arise.

o CCTV - I note that the proposal is for whole site will be covered by CCTV this must comply with BS EN 50132-7:2012+A:2013 (CCTV surveillance systems for use in security applications). It is unlikely to be effective if not monitored. Monitored systems should detect an offence being committed and able to alert a monitoring service who can provide a physical response (Including Police). Relevant signage compliant with the Information Commissioners Office CCTV Code of Practice must be placed around the site. If the circumstances and risk dictate, consideration could be given to installing a monitored alarm system e.g., Perimeter Intrusion Detection System to detect intruders attempting to breach the perimeter fence or boundary.

o Alarm - If the circumstances and risk dictate, consideration could be given to installing a monitored alarm system e.g., Perimeter Intrusion Detection System to detect intruders attempting to breach the perimeter fence or boundary.

With many of these proposals being for a period of 40 years and the ever-increasing cost of electricity and metal (particularly copper), implementing relevant security measures according to proposed location and perceived risk, at the outset and early design stages, would appear to be an effective and efficient approach.

I am happy for the above to be conditioned."

Cambridgeshire Archaeology - 9 July 2024
"We have reviewed the documentation and can confirm that our comments made previously on 26 February 2024 still remain.

However we would advise that the proposals for a 'Watching Brief' found in the Environment Statement is wholly inappropriate approach to the archaeological works on site, and site works should instead by led by evaluation works as advised in our previous email.

As previously, we recommend that due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition
No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
a. The statement of significance and research objectives;

b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

c. The timetable for the field investigation as part of the development programme;

d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives."

Cambridgeshire Archaeology - 25 September 2024
"We have reviewed the additional documents and confirm they do not alter our previously issued advice, in short, a programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary, this can be secured by use of a condition."

Cambridgeshire Archaeology - 26 February 2024
"Thank you for the consultation with regards to the archaeological implications of the above refenced planning application. Our records indicate that the development lies in an area of archaeological potential, close to the fen edge of Burwell an area commonly exploited in prehistory. In the vicinity of the development area this has been implied by a large number of find spots dating between the Mesolithic to Bronze Age periods (Cambridgeshire Historic Environment Record references. (06786, 06452, 06413, 06414). The frequency of finds in the vicinity has lead to the interpretation that a Neolithic to Bronze Age settlement lies to the south, due to the large concentrations of worked flint and arrow heads found in the area (CHER ref. MCB7752). Archaeological evaluation to the south found evidence for later activity including coprolite workings (CHER ref. MCB31724) and Marl pits (CHER ref. MCB31894).

Whilst we do not object to development from proceeding in this location, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (Wintertree Software Inc.) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the Wintertree Software Inc., no demolition/development shall take place other than under the provisions of the agreed Wintertree Software Inc., which shall include:
a) the statement of significance and research objectives;

b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

c) The timetable for the field investigation as part of the development programme;

d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023).

Informatives:
Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.
Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the Wintertree Software Inc..

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges."

Cambridgeshire Fire And Rescue Service - 10 October 2024
"With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager

Community Fire Safety Group
Hinchingbrooke Cottage
Brampton Road
Huntingdon
Cambs
PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given."

Cambridgeshire Fire And Rescue Service - 29 February 2024
"With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager
Community Fire Safety Group
Hinchingbrooke Cottage
Brampton Road
Huntingdon
Cambs
PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given."

County Highways Transport Team - 21 March 2024
"Introduction
The document reviewed is titled '49,9mw/149,7 Mwh, Battery Storage Facility, Anchor Lane Farm Burwell Cambs'. The document is referred to as a Transport Management Statement and the application was prepared for on behalf of Burwell AL Ltd. The Transport Management Statement is in support of a planning application for 49.95/150 Megawatt (MW) Battery Storage Facility (BSF) on land off the Newnham Drove, Burwell, Cambridgeshire.

The Local Highway Network
The site is located off Newnham Drove on a single-track minor road which has a 60mph speed limit. Newnham Drove is located off Weirs Drove, Burwell which is also is the national speed limit at 60mph.

Accident Data
The Local Highway Authority do not accept accident data from Crash map. The latest up to date official CCC accident data can be found in the link below. This is where the latest 60-month accident data can be obtained from: https://data.cambridgeshireinsight.org.uk/dataset/cambridgeshire-road-tsraffic-collision-data. However, the official CCC accident shows there have been no accident is proximity to the site.
Thus, the data is acceptable in this instance.

Automatic Traffic Counts (ATCs)
It is noted that there is talk of 2016 traffic counts, the Highway Authority would not accept any data which is over 3 years old. Given the construction phase is short, it is felt count data is necessary.

Access Arrangements
It is noted that a new access junction of Newnham Drove would be created. This would be a righthand turn going North from Newnham Road. This will be approximately 1.5km north west of Newnham Drove/ Weirs Drove junction. This will need to be confirmed with the Highway Development Management Team to see if it acceptable.

Trip Generation
It is noted that post construction of the site it is expected that only one two trip a month will be needed for maintenance.

The construction of the site will be in stages the estimated trip generation for each stage follows:

o Enabling works- In 8 weeks 30 trips would be made (60 two-way movements).
o Main Construction Phase - In 20 weeks 120 HGV trips would be made (240 two-way movements).
o Post Construction Phase - In 4 weeks 10 HGV trips would be made (20 two-way movements).
o For the construction - In 32 weeks 160 HGV trips would be made (320 two-way movements).
o It should be noted that in a 4-week period 125 HGV trips are expected happen. This would mean there is potential for 6 trips per day (12 two-way movements).

During construction there is also expected to be 5 LGV trips from staff daily (10 two-way movements).

Due to the LGVS and HGV trips being minimal on a day-to-day basis the trip generation is
acceptable.

Development Traffic Distribution

It is expected that the HGVs will travel from B1102 via Reach Road and Weirs Drove to get to Newnham Road then then to site. This is acceptable.

Conclusion
The Highway Authority does not wish to object to the planning application as submitted."

Environment Agency - 30 July 2024
"We have reviewed the documents as submitted and have no objection to this proposal. See the below sections for further information.
Flood Risk
We have reviewed the submitted Flood Risk Assessment (FRA) dated 1 July 2024 and consider this to be acceptable for the scale and nature of the proposed development.
The FRA has identified that the site is at residual risk of flooding in the event of a failure of local flood defences, with flood depths over 1m at the site in such an event. We have no objection to the proposed development but strongly recommend that a detailed Flood Action Plan is prepared for the site, as recommended in section 4.2 of the FRA.
In all circumstances where flood warning and emergency response is fundamental to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.
Permitted Activities
Whilst the battery storage itself does not fall under the permitting regime yet, the application states a diesel generator will be part of the facility. I could not see the proposed size of the generator, but the applicant should be aware that if the thermal input is between 1MWth and 50WWth then it is likely they will fall under the requirements of Medium Combustion Plant and/or Specified Generator requirements. Consequently, a permit will be required to operate the generator. The applicant is

advised to check whether the regulations apply by visiting our website for information."

Environment Agency – 14 October 2024
"Thank you for the consultation dated 24 September 2024. We have reviewed the documents as submitted and have no objection to the amendments of this proposal, as they do not relate to our previous comments or relate to our remit. The comments from our previous consultation response (referenced AE/2024/129646/01 and dated 30 July 2024) still apply."

East Cambs Ecologist - 2 October 2024
"From the information provided the Senior Ecologist has reviewed this application and supports, with conditions. Currently this site is ecologically low value and this would significantly increase the biodiversity of the area."

NB: Full response available on the Council's Planning Portal website includes recommendations for mandatory BNG condition, S106 agreement, HMMP and compliance with the Ecological Impact Assessment prepared by Greenwillows Associates.

East Cambs Ecologist - 30 August 2024

"Headline: With the information provided with the application currently I Support this application, with conditions.
Ecological Context:
This site is close to designated sites and has SSSI IRZ in place but not expected to impact the designated sites.
There are protected species found in the area but expected onsite due to lack of suitable habitat.
Local and international significance: NONE
Habitats: arable land with species poor margin.
There are no priority habitats.
Protected and priority species:
What does submitted information conclude and is this acceptable?
Proposed Mitigation: Precautionary measures set out in section 7 of the EIA.
Ecological enhancements: Bird boxes.
Query: Although I support the idea of Suds for environmental enhancements, I must query the wildlife impact of using it as part of fire plans. If polluted water is discharged into the pond there will be biodiversity implications. Especially should the site be used by a protected species, water vole or Great crested Newt in the future for example, it could be a criminal act. I think careful consideration towards this element is still to be addressed.
Under Section 17 of the Crime and Disorder Act 1998, local authorities are required to do everything they reasonably can to prevent crime, including wildlife crime. This detail may have been thought of already and I haven't seen it, but I must raise it as a concern. However, I am confident that a solution could be reached.
Biodiversity Net Gain
This application has used the appropriate main statutory metric
I agree with the baseline habitats as set out in the metric.
Irreplaceable habitats: none.
Bespoke mitigation required: no

This site is expected to be a significant site for BNG and does require a s106 to secure this site. This is significantly more than 10% uplift achieving 6.78 of other neutral grassland.

Conclusion:
In its current form I support in principle this application, they need to address the query regarding SUDs and fire plan.
Further information/actions required: S106 and HMMP for the securing of significant BNG onsite.
Conditions required:
BNG condition
Mitigation measures as set in section 7 of the EIA to be implemented.
Ecological enhancements in appendix 5 of the EIA as LEMP or incorporated as part of the HMMP."

Environmental Health (Scientific Officer) – 16 October 2024
"Thank you for consulting me on the above proposal. I have read the Phase I Geoenvironmental Site Assessment report dated 7th June 2024 prepared by E3P and accept the findings. The report finds that the site is suitable for use without the requirement for any remediation measures but recommends that a Phase 2 investigation is carried out to confirm this. I recommend that contaminated land conditions are not required for any permission.

Fires at BES facilities typically require large quantities of water to bring them under control, which in turn generates large quantities of firewater which could present a contamination risk if it is not adequately contained. This has been addressed in the Firewater Management Plan dated 30/01/24 prepared by Gondolin Land & Water. The plan appears to be adequate in terms of pollution prevention.

Section 3 of the report states that water for firefighting purposes would be abstracted from local land drains. I recommend that the applicant confirms with the Environment Agency that the conditions of the abstraction licence referred to allow water to be abstracted for firefighting purposes and in the quantities required.

Although EA flood maps show that the site lies within an area of high flood risk, a Flood Risk and Drainage Assessment Report dated 01/07/2024 produced by Gondolin presents the results of a detailed technical flood risk assessment utilising EA Modelling data to demonstrate that the site lies within an area of low flood risk (the text refers to Drawing FRDA-003, although it is labelled FRDA-004.) This further reduces the contamination risk from firewater in the event of a fire.

I have no objection to the proposal subject to the Firewater Management Plan being approved by Cambridgeshire Fire and Rescue Service."

Environmental Health (Domestic) - 22 July 2024
"I have read the revised NIA dated June 2024 which takes account of changes to the initial site layout and a correction to the separating distances between the site and the nearest receptor to the north.

It was previously stated that -

"The site will be surrounded by a 3.6m high acoustic earth screen which will shield the 3.15m containers. The fans being at 2.65m"

It is now proposed -
"The site will be surrounded by an equivalent 2.5m high screen, shielding the containers and fans. The highest point of the fans is 2.65m."

It was previously stated that -
"As stated, the site will have a solid acoustic screen running around the perimeter in the form of a 3.5m high earth bund. This will provide at least 7dB and up to 10dB attenuation from the noise of the cooling fans and inverter, subject to the exact location of the units within the compound."

It is now proposed -
"As stated, the site will have a solid acoustic screen running around the perimeter in the form of an effective 2.5m high earth bund. Close fitting gates will be provided on the northern access to the bund to maintain its acoustic effectiveness. This will provide at least 13-14dB attenuation from the noise of the cooling fans and inverter, subject to the exact location of the units within the compound. A figure of 10dB has been used within the assessment."

These changes have now resulted in a change from -
"The combined sound level at the nearby residential property boundary has been calculated at 22.2dB(A), this is with all fans and inverters operating.

Given a 15dB attenuation1 for an open window the sound levels to be experienced internally will be 7.2dB(A)."

To -
"The combined sound level at the nearby residential property boundary has been calculated at 17.4dB(A), this is with all fans and inverters operating together with the transformer which will site above the bund.

Given a 15dB attenuation1 for an open window the sound levels to be experienced internally will be 2.4dB(A)."

The findings of the BS4142 calculation has now also changed from a Rating Level of 27.8dB during the day and 26.8dB during the night to 17.4dB during the day and night.

Ultimately, the report indicates an overall improvement over the previous design and therefore still finds that the site "[…] will not result in any adverse impact on the nearby properties".

From examining the Site Layout documents it would appear as though the CSR and DNO Control Room have been relocated from the perimeter of the site toward the centre.

I will repeat my previous comments which still remain valid -

Page 24 of the Acoustic Survey in the appendices includes a CHINT product data sheet which outlines predicted noise levels and advises that "the specific value will be issued after the completion of the equipment in actual test report". This implies that there will be a further NIA undertaken once the site is operational in order to determine what the actual sound pressure levels will be. I assume that this NIA will be undertaken by CHINT (or their contractors) and this will purely be looking at sound pressure levels 1 meter away. At other battery storage facilities we have attached conditions along the lines of the two below -

Prior to commencement of the operation of the development, a verification report to show compliance detailing the methodology, measurement positions, detail of any results, calculation method (where appropriate) and a report of findings, shall be prepared by an independent qualified Noise Consultant and submitted to, and agreed by, the Local Authority.

Where the assessment shows non-compliance, the report shall detail an action plan and proposals for further mitigation to comply with the noise limits within an agreed timetable.

Prior to commencement of the operation of the development, a Noise Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority, The Noise Management Plan shall include details for a schedule of regular noise monitoring and any mitigation of noise levels to ensure compliance with the original assessment.

I would recommend that similar conditions are attached in this instance. If you are in agreement I would be happy to discuss wordings with you.

I would also recommend the following condition -

"Low frequency noise from the site shall not exceed the criteria in any single 1/3 octave-band between 10 Hz and 160 Hz of the criterion curve set out in Section 4.1 of NANR45."

It is not clear from the 3D view plans if the poles on site are lighting columns or for the proposed CCTV. If the intention is to have external lighting at the site then I would want to see a supporting lighting impact assessment to demonstrate the potential impact from this.

No other comments to make at this time but please send out the environmental notes."

Environmental Health (Domestic) - 24 September 2024
"I have no additional comments to make at this time."

Environmental Health (Domestic) - 29 February 2024
"Thank you for consulting us on the above application.

We have commented on the Screening application for this site in the past.

If Peter wishes to make any comments he will respond separately.

I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and
None on Sundays or Bank Holidays

I have read the Acoustic Survey dated November 2023 which advises - "The site will be surrounded by a 3.6m high acoustic earth screen which will shield the 3.15m containers. The fans being at 2.65m." I have examined the 3D view plans and there would appear to be several gaps in the earth screen which appear to be necessary for vehicle access. This does not appear to be addressed within the acoustic assessment and will impact upon the mitigating properties if there is a line of sight to the site (it is not known if there is).

Ultimately, the report finds that the site "[…] will not result in any adverse impact on the nearby properties".

Page 24 of the Acoustic Survey in the appendices includes a CHINT product data sheet which outlines predicted noise levels and advises that "the specific value will be issued after the completion of the equipment in actual test report". This implies that there will be a further NIA undertaken once the site is operational in order to determine what the actual sound pressure levels will be. I assume that this NIA will be undertaken by CHINT (or their contractors) and this will purely be looking at sound pressure levels 1 meter away. At other battery storage facilities we have attached conditions along the lines of the two below -

Prior to commencement of the operation of the development, a verification report to show compliance detailing the methodology, measurement positions, detail of any results, calculation method (where appropriate) and a report of findings, shall be prepared by an independent qualified Noise Consultant and submitted to, and agreed by, the Local Authority.

Where the assessment shows non-compliance, the report shall detail an action plan and proposals for further mitigation to comply with the noise limits within an agreed timetable.

Prior to commencement of the operation of the development, a Noise Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority, The Noise Management Plan shall include details for a schedule of regular noise monitoring and any mitigation of noise levels to ensure compliance with the original assessment.

I would recommend that similar conditions are attached in this instance. If you are in agreement I would be happy to discuss wordings with you.

I would also recommend the following condition -

"Low frequency noise from the site shall not exceed the criteria in any single 1/3 octave-band between 10 Hz and 160 Hz of the criterion curve set out in Section 4.1 of NANR45."

It is not clear from the 3D view plans if the poles on site are lighting columns or for the proposed CCTV. If the intention is to have external lighting at the site then I would want to see a supporting lighting impact assessment to demonstrate the potential impact from this.

No other comments to make at this time but please send out the environmental notes."

UK Power Networks – 15 July 2024
"In response to the planning application attached, my company has the following comments.

We note there are overhead cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

In the instance of overhead cables within the vicinity, GS6 (Advice on working near overhead powerlines) and a safety visit is required by UK Power Networks. Information and applications regarding GS6 can be found on our website https://www.ukpowernetworks.co.uk/safety-equipment/power-lines/working-near-power-lines/advice-on-working-near-overhead-power-lines-gs6#Apply

Should any diversion works be necessary because of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.
You can also find support and application forms on our website Moving electricity supplies or equipment | UK Power Networks."

National Grid - Electricity - No Comments Received

HSE (Nationally Significant Infrastructure Projects) - 10 July 2024
"This application does not fall within the Consultation Distance Zones of either a Major Hazard Site or Major Accident Hazard Pipeline.

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of Major Hazard Sites and Major Accident Hazard Pipelines.

When potential development sites are identified, if any of them lie within the Consultation Distances for either a Major Hazard Site or Major Accident Hazard Pipeline Council can use Web App which is HSE's on-line decision support software tool, to see how HSE would advise on any proposed development - https://pa.hsl.gov.uk.

HSE has no comment to make on:

Application Number: 24/00160/ESF
Location: Site At Anchor Lane Farm Newnham Drove Burwell - CB25 0DT”

HSE (Nationally Significant Infrastructure Projects) - 25 September 2024
“HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - https://pa.hsl.gov.uk/ - for them to use to consult HSE and obtain HSE's advice.

However, this application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.

I would be grateful if you would ensure that the HSE Planning Advice Web App is used to consult HSE on any future developments including any which meet the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline.
o residential accommodation;
o more than 250m^2 of retail floor space;
o more than 500m^2 of office floor space;
o more than 750m^2 of floor space to be used for an industrial process;
o transport links;
o or which is otherwise likely to result in a material increase in the number of persons
working within or visiting the notified area.

There are additional areas where HSE is a statutory consultee. For full details, please refer to annex 2 of HSE's Land Use Planning Methodology: //www.hse.gov.uk/landuseplanning/methodology.htm”

HSE (Nationally Significant Infrastructure Projects) - No Comments Received

Local Highways Authority - 26 July 2024
“Recommendation
On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments
The revised development has taken account of previous comments regarding the extent of highway boundary. The works are now suitably set back from Newnham Drove.

While not explicitly shown, this set back will also provide sufficient space for small / medium sized vehicles to turn in advance of the gates, thus addressing another previous comment.

I have reviewed the peak construction trip generation and based on the volumes of anticipated vehicles, I do not consider the temporary impact on the highway network to be material. However, I do recommend that a construction traffic management plan is conditioned prior to commencement of works. Such a plan should include details of construction traffic routing, timing of deliveries, temporary vehicle turning, control

parking, measures to prevent mud being dragged onto the highway and any other controls to maintain highway safety during the construction phase.

Conditions
HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Informatives
Works in the Public Highway: This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council."

Local Highways Authority - 8 October 2024
"I have been reconsulted on the above application in Burwell. Upon review of the supplementary information I can confirm that I have no comments to make beyond those outlined in my response dated 13th March 2024 and I consider that the development remains acceptable in highway terms."

Local Highways Authority - 13 March 2024
"Recommendation
On the basis of the information submitted, from the perspective of the Local Highway Authority, I have no objection in principle to the proposals. However, the below comments require attention to make the development acceptable in highway terms. If the applicant is unwilling or unable to amend the application or provide additional information in response to the below comments, please advise me so I may consider making further recommendations, possibly of refusal.
Comments
The application redline boundary extends to the carriageway edge of Newnham Drove, but the highway boundary extends several metres beyond the visible carriageway edge meaning highway verge has been included within the application. The applicant must procure a verified copy of the highway boundary, impose the information upon their submission documents and if necessary, amend the proposals to reflect the boundary location. Any works within the highway boundary (hard or soft landscaping) must be to CCC's specification; as an example the proposed perimeter bund is within the highway and will need to be relocated. A copy of the highway boundary can be procured by following the instructions at the link below.
https://www.cambridgeshire.gov.uk/business/highway-searches

The trip generation referred to in the Transport Assessment lists total vehicle numbers over the construction period. I will require disaggregated forecasts (to be agreed with the County's Transport Assessment team) which show daily two-way trip generation during the construction and operational phases. Such information will need to be categorised into vehicle types (light vehicles, heavy goods vehicles etc.). Depending on the trip generation, mitigation along the length of Newnham Drove in the form of regular and appropriately sized passing places may be necessary to maintain highway safety. Any material intensification is likely to require such works.

The proposals include adequate on-site vehicle turning, but this is located beyond a gated access. In light of the linear character of Newham Drove and the risk of incidental trip attraction, it's recommended that the applicant include a turning area suitable for light vehicles e.g., a 7.5t van, in advance of any gates.
The applicant will need to include appropriate measures to ensure that private surface water from the site does not discharge onto the public highway. The applicant will either need to grade the site away from the highway or include a means of surface water interception.
It does not form an objection, but the applicant should note that Newnham Drove is only maintained to a condition suitable for agricultural traffic or four-wheel drive enabled vehicles. The applicant should ensure that it is suitable for their own needs as its condition will not be enhanced to facilitate this development."

Lead Local Flood Authority – 16 October 2024
"Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 6 August 2024 (ref: 20111007). Our position therefore remains supportive of the development subject to the imposition of the previously suggested conditions."

Lead Local Flood Authority - 7 August 2024
"We have reviewed the following documents:

o Flood Risk and Drainage Assessment Report, Gondonlin Land & Water Ltd, Ref: GON.0304.0185 Version 4, Dated: 1 July 2024

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of a perforated collector drain and detention basin, before discharge into the IDB watercourse at a rate of 1.1 l/s/ha. It has also been demonstrated that the site can be built out whilst protecting the adjacent watercourse.

We request the following condition is imposed:
Condition
No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk and Drainage Assessment Report prepared by Gondonlin Land & Water Ltd (ref: GON.0304.0185 Version 4) dated 1 July 2024 and shall also include:

a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance,

storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
f) Full details of the maintenance/adoption of the surface water drainage system;
g) Permissions to connect to a receiving watercourse or sewer;
h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason
To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts."

Lead Local Flood Authority - 5 March 2024
"At present we object to the grant of planning permission for the following reasons:
1. Hydrobrake diameter
The hydrobrake orifice diameter for the attenuation basin is too small at 52mm. In line with Cambridgeshire County Councils Surface Water Planning Guidance (2021), controls should have a minimum opening size of 75mm for non-adopted systems. Whilst it is accepted that the applicant is required to discharge at a rate of 1.1l/s as per IDB requirements, appropriate pre-treatment should be provided to prevent blockages.
2. FEH rainfall data required
For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used. FEH data must be used in these longer duration storms as it uses more up to data rainfall data and is more accurate for the purpose of modelling the future storm events over other data sources such as FSR for the larger duration storms.
3. Cv values
The applicant has provided hydraulic modelling for the proposed impermeable areas across the site. It is noted that the Cv values for the winter and summer storms have been input as 0.84 and 0.75 respectively. However, as the modelling is for the impermeable area, these values should be set to 1 to account for the total runoff during storm events.
4. Half drain times
The calculations currently do not show the half drain time for the system. The half drain time for the system should be less than 24hours in order to ensure that the system has the capacity to accommodate rainfall events occurring in quick

succession. Until the half drain time for the system is demonstrated as less than 24 hours, the LLFA is unable to support this application.
Where it is not possible to achieve a half drain time of 24 hours, it must be demonstrated that the system has capacity to accommodate an immediate and subsequent 10% AEP (1 in 10 year) rainfall event.

5. Freeboard

In line with the CIRIA SuDS Manual, the basin should provide 300mm freeboard. At present only 266mm of freeboard is provided for the 1% AEP +CC.

6. Clarification on impermeable areas

The report states that the impermeable area is approximately 1ha. The site layout drawing states a construction area of 12,775.7m^2 (1.27ha). Further clarification is required as to which areas are to be impermeable. It also remains unclear as to whether the attenuation basin is included in the impermeable area. During larger storm events, the basin will fill with water and any further rainfall landing on this surface will need to be managed within the basins. Therefore, the basins must be treated as an impermeable surface in calculations.

7. Drainage layout plan

A drainage layout plan showing pipe networks and any SuDS features should be included. This plan should show any pipe 'node numbers' that should be referred to in network calculations and it should also show invert and cover levels of manholes.

Informatives:

Infiltration
Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.

IDB Consent
This site falls within the Swaffham Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

Pollution Control
Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall."

Minerals And Waste Development Control Team - 7 March 2024
"Thank you for consulting Cambridgeshire County Council, in its role as the Minerals and Waste Planning Authority (MWPA), on the above application. Having reviewed the available documentation, the MWPA wishes to make the following comments:

It is noted that the agent has not recognised that the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) (the MWLP) is part of the

development plan (section 6.2 of the Planning Statement - PWA Planning February 2024).

The site lies within a Mineral Safeguarding Area (MSA) for Chalk and a MSA for Sand and Gravel which are safeguarded under Policy 5 of the MWLP. This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. Policy 5 sets out a number of exemptions (criteria (a) - (h)), for when Policy 5 is not applicable, none of which relevant in this case. It then goes on to set out that that development will only be permitted in certain circumstances (criteria (i) - (k)). The application documentation does not appear to make any reference to the safeguarded minerals, or Policy 5. Consequently criteria (i) - (k) have not been demonstrated, leaving criterion (l), which states that:

"development will only be permitted where it has been demonstrated that there is an overriding need for the development (where prior extraction is not feasible) **".

It is noted that the proposed development site is relatively small. The MWPA considers that, although the extent of the resource within the site is unknown, the nature of the development and size of the site means that complete prior extraction is, in this case, unlikely to be feasible.

Should the Local Planning Authority be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 has been addressed, subject to the following informative being included in any permission:

"The site lies within a Chalk Mineral Safeguarding Area and a Sand and Gravel Mineral Safeguarding Area, which indicates that there may be underlying chalk and sand and gravel resources. The Minerals and Waste Planning Authority considers that prior extraction is unlikely to be feasible and that there is an overriding need for the development. Prior extraction of the resource has, therefore, not been required in this instance. However, the applicant is encouraged to make best use of any chalk and sand and gravel that may be incidentally extracted as part of the development.""

Minerals And Waste Development Control Team - 9 August 2024
“Having reviewed the available documentation, the MWPA wishes to make the following comments:
It would appear that 24/00160/ESF and 24/00160/FUM are the same application under a different reference. The MWPA previously submitted comments dated 7 March 2024 in relation to 24/00160/FUM. Those comments concluded:
Should the Local Planning Authority be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan has been addressed, subject to the following informative being included in any permission:
"The site lies within a Chalk Mineral Safeguarding Area and a Sand and Gravel Mineral Safeguarding Area, which indicates that there may be underlying chalk and sand and gravel resources. The Minerals and Waste Planning Authority considers that prior extraction is unlikely to be feasible and that there is an overriding need for the development. Prior extraction of the resource has, therefore, not been required in this instance. However, the applicant is encouraged to make best use of any chalk and sand and gravel that may be incidentally extracted as part of the development."
Having reviewed additional documentation, I have no additional comments.”

Minerals And Waste Development Control Team - No Comments Received

Ambulance Service - No Comments Received

The Ely Group Of Internal Drainage Board - 16 August 2024
“The Board has no objection to the development in principle. The Surface Water design for the site is to be limited to the Board's greenfield run off rate of 1.1 litres/sec/ha. The applicant will require the consent of the Board for the proposed discharge, prior to any works starting on site. The granting of planning permission does not guarantee the Board's consent.
Any culverting or infilling of watercourses on the site will also require the Board's consent.”

Natural England - 26 July 2024
“SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.”

Natural England - 2 October 2024
“Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our response dated 8th March 2024, reference number 468649 (attached).

The advice provided in our previous response applies equally to this. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.”

Natural England - 8 March 2024
“Thank you for your consultation on the above dated 22 February 2024 which was received by Natural England on the same day.
Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE
NO OBJECTION
Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Natural England's generic advice on other natural environment issues is set out at Annex A."

Planning Casework Unit - No Comments Received

Asset Information Definitive Map Team - 28 February 2024
"As there is no Public Right of Way is on the application site the Definitive Map Team has no objection to this proposal.

Please note however that there is a public highway and we have received 2 applications, one to record a bridleway and a second to record a byway open to all traffic along this route - application numbers M196 LH and M232 LH. The applicant may wish to take their own legal advice on this.

The details of these applications can be found at
https://www.cambridgeshire.gov.uk/asset-library/M196-LH.pdf and
https://www.cambridgeshire.gov.uk/asset-library/M232-LH.pdf"

Secretary Of State - No Comments Received

ECDC Trees Team – 14 October 2024
"As per previous comments the revised soft landscaping scheme is a significant improvement especially with the inclusion of locally native tree species. The reduction in height and alteration to the grading of the bund is more suitable within the surrounding landscape as such I'm satisfied that the proposals are acceptable as such please condition their compliance."

ECDC Trees Team - 12 July 2024
"The revised soft landscaping scheme is a significant improvement especially with the inclusion of locally native tree species. The reduction in height and alteration to the grading of the bund is more suitable within the surrounding landscape as such I'm satisfied that the proposals are acceptable as such please condition their compliance."

ECDC Trees Team - 15 March 2024
"The 3.5m high bund round whole site with very steep sides will not be in keeping with the locality due to the flat topography of the area a bund any higher than 1.5m would be highly visible and detrimentally effect the wider landscape. The bund also appears to be very steep and located in close proximity to the road this will make any maintenance operations extremely difficult other than for being to use a tractor mounted flail where access allows.
The soft landscaping plan includes some strange plant choices such as Salix caprea 'Kilmarnock' the Kilmarnock Willow which is a small weeping variety normally planted as a garden tree when space is limited, this is also a very short lived species there are better native species of Willow that would be more suitable and native to the area such as common Goat Willow (Salix caprea), Grey Willow (Salix cinerea), Eared

Willow (Salix aurita), Purple Willow (Salix purpurea) and common Osier (Salix viminalis). The other none beneficial cultivars indicated are Upright Holly (Ilex aquifolium 'Pyramidalis') and large leaved Whitebeam (Sorbus aria 'Majestica') even the none cultivar versions of these trees are not native to the locality. The soft landscaping plan does not appear to include any significant planting in relation to the northern and western elements of the perimeter bund and none at all for the attenuation pond. The attenuation pond planting could also include Willows trees that are native to the locality Crack Willow , White Willow, Goat Willow, Grey Willow and common Osier) this would soften the man made appearance of the pond. Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native Willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wetlands such as found in fenland areas. Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows. Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major requirements for plant survival in environmentally disrupted areas such as development sites.
Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead). Willows ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants. The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral. The size of the tree can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3-5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds. The attenuation pond should also have a naturalistic shape including its internal contours so as to be able to provide a significant habitat.

The soft landscaping scheme is very poor and not acceptable at this time and due to the issues with the bund as mentioned above this application cannot be supported at this time."

5.2 Two site notices were displayed near the site on 11th March 2024 and a press advert was published in the Cambridge Evening News on 28th February 2024, 18th July 2024 and most recently on the 26th September 2024.

5.3 Neighbours – Nine neighbouring properties were notified and the four responses received are summarised below. Full copies of the responses are available on the Council's website.

- Biodiversity and impacts on wildlife and conflict with construction traffic
- Noise sensitive and adequate noise screening

- Pollution issues and toxic release to air and ground
- Safety concerns
- Affects a right of way
- Groundwater issues
- Failure of landscaping to establish
- Poor state of roads and impacts on Sustrans route

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan 2015 (as amended 2023)*

GROWTH 1 Levels of housing, employment and retail growth
GROWTH 2 Locational strategy
GROWTH 3 Infrastructure requirements
GROWTH 4 Delivery of growth
GROWTH 5 Presumption in favour of sustainable development
ENV 1 Landscape and settlement character
ENV 2 Design
ENV 4 Energy and water efficiency and renewable energy in construction
ENV 6 Renewable energy development
ENV 7 Biodiversity and geology
ENV 8 Flood risk
ENV 9 Pollution
ENV 14 Sites of archaeological interest
COM 7 Transport impact
COM 8 Parking provision
BUR 5 The Weirs/Riverside

6.2 *Cambridgeshire and Peterborough Waste and Minerals Local Plan 2021*

Policy 5 – Mineral Safeguarding Areas

6.3 *National Planning Policy Framework (December 2023)*

2 Achieving sustainable development
4 Decision-making
8 Promoting healthy and safe communities
9 Promoting sustainable transport
11 Making effective use of land
12 Achieving well-designed and beautiful places
14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment
16 Conserving & enhancing the historic environment

6.4 *Supplementary Planning Documents*

Developer Contributions and Planning Obligations
Design Guide
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
Flood and Water
Natural Environment SPD
Climate Change SPD East Cambridgeshire Local Plan 2015 (as amended 2023)

6.5 National Policy Statements

EN – 1: Overarching National Policy Statement for energy

EN – 3: National Policy Statement for renewable energy infrastructure

6.6 Planning Practice Guidance (March 2024 Onwards)

6.7 *Battery Energy Storage Systems: Research Briefing – House of Commons, 19th April 2024*

7.0 PLANNING COMMENTS

7.1 Environmental Statement

7.2 The application was screened in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) under planning reference 24/00158/SCREEN, under which it was concluded that the application warranted the preparation of an Environmental Statement. This was based on the potential impacts of the cumulative loss of Best and Most Versatile agricultural land and cumulative erosion of the fen landscape and its openness when considering planned, consented and operational solar farms and renewable energy developments in the surrounding area and district.

7.3 The Applicant subsequently prepared an Environmental Statement valid as of the 1st of July, with further information provided in September 2024 to supplement this. A summary of the Environmental Statement's conclusions are set out below.

Best and Most Versatile Land – Agricultural Land and Soils

7.4 The site measures c.2.32-hectares (c.5.73-acres) and is predominantly Grade 2 agricultural land, with small areas of Grade 3a. The land is therefore considered to be largely of very good quality, falling within the category of 'Best and Most Versatile' (BMV) land as defined by Appendix 2 of the National Planning Policy Framework.

7.5 Across the 40-year operational lifespan of the development, the proposals would result in the loss of c.2.32-hectares (c.5.73-acres) of BMV land due to the proposed development. Whilst only c.1.28-hectares (c.3.16-acres) of land would be lost to the compound, batteries and hard landscaping itself, the remaining c.50% of land for use as BNG and attenuation would also be functionally removed from agricultural use by virtue of its intended use. The Environmental Statement recognises that there is therefore potential for cumulative impacts on soil and agricultural land quality, when assessed against other consented and operational developments.

7.6 When assessing the loss of the site cumulatively with nearby solar developments (Hightown Drove/Burwell Farm, Bracks Farm, North Angle Farm, Goosehall Farm and Sunnica (West), the Environmental Statement at Chapter 7 concludes a cumulative impact of 0.40045% loss of BMV within the district, with the development itself only representing a 0.00045% loss of BMV. This is a very small proportion. The committed developments assessed were based on the accepted assessment for LPA Ref. 20/00557/ESF immediately to the east and south of the site.

7.7 Reference is also made to the long-term (100 year) vision to expand Wicken Fen over 53-square kilometres, within which the site would fall, and which would see substantial losses of agricultural land in favour of restoring the traditional fen landscape. This was a consideration of the adjoining solar farm, and although not a committed project, provides context for this area of the fens.

7.8 The Environmental Statement concludes that, whilst over a 40-year period, the proposals would not lead to a permanent long-term loss of arable farmland nor would they result in changes to the fundamental quality of the land, only its utilisation. Whilst cumulative effects in respect of BMV are identified, this is a very small impact resulting in a minor level of effect and is not therefore significant.

7.9 This conclusion is based upon the following embedded mitigation required to reduce the effects of the development on soils and agricultural land:

- **Soil protection** – site management to prevent driving over agricultural land and soil rutting, which can damage soil structure and cause compaction.
- **Soil handling** – preparation of a Soil Management Plan prior to any soil handling on site.
- **Drainage and water** – protection of existing surface water drainage systems, and maintenance of existing subsurface drainage.

7.10 Chapter 8 also recommends *additional* mitigation measures for the protection of soil in respect of passing bays, turning areas, soil handling methods, soil handling conditions, separate handling of different soils and water supply via an attenuation pond.

7.11 The targeted 58.48% biodiversity net gain is also proposed as a mitigation for this minor level effect (Chapter 8), which whilst delivering a significant benefit on its own, would also aid in the reduction of artificial fertilisers and sprays on the land during the cessation of agricultural use.

7.12 Chapter 8 of the Environmental Statement also clarifies that, *"Once decommissioned and returned to agricultural use, the soil condition is likely to have improved compared to the current baseline and this would have long term benefits in term of the agricultural quality of the Site".* The Statement considers this a Minor Beneficial effect. The Statement also concludes a Major Beneficial effect of the targeted 58.48% biodiversity net gain, and the nature of the development in supporting renewable energy infrastructure is also concluded as positive.

7.13 If not developed, Chapter 7 of the Environmental Statement concludes that the site *"will most likely continue in intensive arable use. This will cause continued oxidation of organic matter in the topsoil reducing its value as a carbon sink, with a general lowering of agricultural land quality. This is not suggesting that the ALC grades would be reduced, but that the lower organic matter could affect the workability and resilience to structural damage in wet conditions and reduce the available moisture capacity in dry conditions. If the development proposal is given planning consent, intensive arable production would cease for 40 years, with a possible consequence of improving the organic status of the topsoil with a general improvement in long-term quality on the land."* It is therefore inferred that the quality of the soil and agricultural

land quality would be similar, if not marginally worse, if the site was not developed as opposed to developed.

7.14 Overall, due to the temporary and reversible nature of the proposed development and its scale, it is considered that cumulatively, the proposed development would result in low-level harm to agricultural land and soils in the short to long-term, with potentially modest long-term benefits (post 40 years). However, subject to appropriate mitigation, no significant effects on the environment are identified upon agricultural land and soils either individually or cumulatively.

Landscape, Character and Openness

7.15 With regard to landscape and visual impacts, at a local level the site sits within the Fenland Character Area (as defined within the Cambridgeshire Landscape Guidelines 1991). At regional level it sits within the East of England Landscape Framework – Landscape Character Type 'Planned Peat Fen'. At a national level, it sits within National Character Area 46 The Fens.

7.16 The Cambridgeshire Landscape Guidelines 1991 summarise the key characteristics of the 'fenland' as follows: *"Fenland is a landscape of contrasts and variety. Superimposed upon the regimented and highly organised drainage patterns is a much more haphazard pattern of settlement and tree cover. It is a large open landscape and although appearing monotonous, it is in fact characterised by continuous change as the visual characteristics of one fen merge into the next. The open landscape provides distant views where the scattering of clumps and individual trees merge together to produce a feeling of a more densely tree-covered horizon."*

7.17 When considering site specific and cumulative impacts, the Environmental Statement and supporting Landscape Visual Impact Assessment (LVIA) have taken into consideration the following committed and operational developments:

- 22/01154/CCA – Land between North Angle Solar Farm and Swaffham Prior Energy Centre (Cambridge Brick and Tile); and
- EN010106 – Sunnica NSIP (cabling and substation)
- North / South Angle Farm (Soham);
- Bracks Farm / Meadow View Farm (Wicken);
- Chittering Farm (Stretham);
- Six Oaks (Bottisham);
- Breach Farm (Exning);
- Heath Road (Swaffham Prior); and
- Hightown Drove (EDF) (Burwell)

7.18 Except for the most immediate sites, the majority of the above sites are considered to result in negligible cumulative impacts. This is on the basis that the supporting LVIA considers views from receptors beyond 2km will be at such distances that the proposals would form only a very minor proportion of the wider view, meaning impacts are barely perceptible to the casual observer.

7.19 When considering the overall impacts of the proposed development, the Environmental Statement concludes the following: *"In summary, it is considered that*

the Application Site will, whilst wholly replacing portions of the landscape character at the Site level, sit within the existing retained landscape character at the local, regional and national level. Whilst some negative adverse landscape and visual effects will arise from the proposed development, landscape and visual effects are largely limited to the Application Site and local level receptors only, as identified in this Assessment. Where adverse impacts have been identified these have been mitigated through the proposed landscape strategy, which seeks to soften the edge of the development and set built form back from sensitive edges. Any anticipated effects are expected to reduce overtime as planting matures."

7.20 When taking into consideration embedded mitigation, the Environmental Statement ultimately concludes only residual Minor Adverse cumulative effects of the development proposals, and no significant environmental effects. This embedded mitigation includes the following:

- To provide a landscape context for the proposed development that is consistent, in scale with, and reinforces the landscape character of the locality and of the surrounding landscape context as set out within the local landscape management guidance;
- Set development to the south of the field parcel, away from the more sensitive northern boundary;
- Built form within the BESS compound is set behind new landscaped bunds;
- New native tree and hedgerow planting of appropriate species characteristic of the local landscape to provide screening to the main BESS compound;
- The sowing of species rich wildflower meadow to the areas surrounding the compound and the field parcel to the north of the Site to improve biodiversity;
- New wetland meadow planting surrounding the proposed waterbody.

7.21 It can therefore be concluded that at a localised level, the proposed development would result in moderate levels of harm into the short to medium term, reducing to low levels of harm as the planting and site establishes (Year 15+). With distance from the site, these impacts lessen considerably, and no significant effects on the environment are identified regarding landscape and character impacts individually or cumulatively. Some minor beneficial effects are also anticipated in the long term, with the introduction of new green and blue (water) infrastructure. Major beneficial long-term effects are anticipated in regard to the biodiversity net gain achieved on the site.

Reasoned Conclusion on the Significant Effects of the Development on the Environment

7.22 On the basis of the information provided and embedded mitigation, whilst local level harms are identified in the short to medium term, the Local Planning Authority is content that in the medium to long term, impacts of the proposed development upon the landscape, agricultural land and soils would not lead to significant adverse effects on the environment either individually or cumulatively, subject to the embedded mitigation identified. Long-term modest to significant benefits are however expected from the development, which is significant in EIA terms.

7.23 An Environmental Statement Summary is provided at Appendix 2 of this report.

7.24 Principle of Development

7.25 The site lies wholly outside the defined development envelope for Burwell within the countryside, as defined by Policy GROWTH 2 of the Local Plan which seeks to strictly control development in the countryside, with a few exceptions. It must therefore be considered whether any of these exceptions would support the provision of a BESS facility in the countryside.

7.26 One such exception is the presumption in favour of the delivery of renewable energy developments, under Policy ENV 6. Policy ENV 6 states (emphasis added):

*"Proposals for renewable energy **and associated infrastructure** will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:*

- *The local environment and visual landscape impact.*
- *Impact on the character and appearance of the streetscape/buildings.*
- *Key views, in particular those of Ely Cathedral.*
- *Protected species.*
- *Residential amenity.*
- *Safeguarding areas for nearby airfields; and*
- *Heritage assets.*

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate."

7.27 Whilst not a neat fit, BESF sites are considered to fall within the "associated infrastructure" bracket of Policy ENV 6, which is considered to be the policy of most relevance when determining this application. This is consistent with the development of other BESS sites along Weirs Drove and Factory Road, Burwell.

7.28 Whilst they are not a renewable energy source, BESF sites are a complementary and increasingly necessary supporting element of renewable energy schemes. In very simple terms, BESF sites work by drawing energy from the grid during off-peak/low demand periods and surplus energy (often when renewable energy schemes such as solar and wind may be producing peak energy outputs), storing this energy, and discharging it back into the grid during peak demand (most often the evenings). BESF sites therefore help to balance the grid and make the most efficient use of renewable energy developments, whilst reducing the pressure to use non-renewable sources in times of high demand.

7.29 Regarding overall need for BESF sites, the NPPF makes clear at Paragraph 154 that:

When determining planning applications[57] for renewable and low carbon development, local planning authorities should:

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

b) approve the application if its impacts are (or can be made) acceptable[58]. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.

7.30 Whilst not a renewable energy development itself, it is considered that Paragraph 154 applies to the development proposals as supporting infrastructure to renewable energy and low-carbon developments, for the reasons previously outlined. This matter is further compounded by National Policy Statement (NPS) for Energy (EN-1).

7.31 Whilst EN-1 applies to Nationally Significant Infrastructure Projects, Paragraph 1.2.1 of EN-1 states: *"In England, this NPS, in combination with any relevant technology specific NPSs, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended)."* How much weight is to be attributed to the NPS will be at the discretion of the decision maker on a case-by-case basis.

7.32 Paragraph 2.1.1 of EN-1 sets out clearly the Government's position on energy infrastructure, which was first outlined in The Energy White Paper (December 2020), this being to *"transform the energy system, tackling emissions while continuing to ensure secure and reliable supply, and affordable bills for households and businesses."* As part of this overarching objective, the UK became the first major economy to legislate for 2050 net zero Greenhouse Gases (GHG) emissions (2.2.1). Other legislated targets include a 68% reduction in GHG by 2030 from 1990 levels, and a 78% reduction in GHG emissions by 2035 compared to 1990 levels (2.2.1), all of which are imminently approaching.

7.33 It is important to note that to meet the 2035 target, all of the UK's electricity will need to come from low carbon sources, whilst meeting a 40-60% increase in demand (3.3.57).

7.34 In terms of meeting these objectives, Paragraph 3.3.4 of EN-1 states: *"There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks[39] all have a role, but none of them will enable us to meet these objectives in isolation."*

7.35 Paragraph 3.3.25 of EN-1 also states: *"Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated*."

7.36 National Policy Statement for Renewable Energy Infrastructure (EN-3) is also considered to be a material consideration, setting out the importance of renewable energy sources in meeting the UK's net zero and statutory targets.

7.37 As well as national objectives, the Council itself declared a climate emergency in 2019, and introduced the Climate Change SPD in response (adopted 2021).

7.38 It should also be noted that grid connections into the system are heavily constrained, with approximately 76 projects currently pending a grid connection, with delays most likely until 2030 and beyond, averaging 10 years. The Applicant has already secured a grid connection, and subject to planning is ready to connect. This is an important factor weighing very strongly in favour of the development, as it is a project that could see a prompt increase in capacity to the system and contribute towards 2030 and 2035 renewable energy targets and net zero goals. This is a significant benefit of the scheme, a weighting which is consistent with the appeal decisions for BESS sites appended to the Applicant's Planning Statement.

7.39 All of the above evidences that there is an urgent need for low-carbon energy developments, and a local, national and international impetus behind its delivery. BESF sites are increasingly recognised as a key facilitator of low-carbon energy, and in meeting the Government's energy objectives. The principle of the proposed development is therefore considered to be acceptable in accordance with the Local Plan, NPPF, Climate Change SPD, and when considering all other material considerations including EN-1. For the reasons to be set out within the following sections of this report, any identified harm is considered able to be mitigated to acceptable levels.

7.40 *Site Selection*

7.41 Regarding site selection, it has been well-established by the solar and battery developments within the district that Burwell's Electricity Substation is a key locational factor when considering suitable sites for renewable and BESS developments.

7.42 This is clarified within Volume 1 of the Environmental Statement, which sets out the following locational assessment regarding a suitable grid connection:

- It must be located on a part of the electricity network that has available capacity:
- It must be located at a strategic substation: and,
- It must be located at a substation with available demand capacity.

7.43 It is clarified within the Statement that Burwell substation is the only publicly available GSP (Grid Supply Point) in the district appropriate for the proposed development, meaning that it transforms power from high voltage to lower voltages and relays to other substations. It is also clarified that UK Power Networks (UPKN) only allows connections to the network within 2km of a substation. It was on this basis that the application site was chosen.

7.44 Planning Practice Guidance (Paragraph 005) also clarifies that *"There are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to."*

7.45 A detailed assessment of the site's suitability for development is set out within the following sections of this report. For the purposes of site selection, it is nevertheless considered that this assessment is robust and justified and complies with the objectives of planning practice guidance.

7.46 Landscape and Visual Impacts

7.47 As set out at Paragraphs 7.13 to 7.20 of this report, the Environmental Statement supporting the application concludes the following regarding the landscape and visual impacts of the proposed development:

"In summary, it is considered that the Application Site will, whilst wholly replacing portions of the landscape character at the Site level, sit within the existing retained landscape character at the local, regional and national level. Whilst some negative adverse landscape and visual effects will arise from the proposed development, landscape and visual effects are largely limited to the Application Site and local level receptors only, as identified in this Assessment. Where adverse impacts have been identified these have been mitigated through the proposed landscape strategy, which seeks to soften the edge of the development and set built form back from sensitive edges. Any anticipated effects are expected to reduce overtime as planting matures."

7.48 The LVIA supporting the application provides a more in-depth assessment of landscape and visual impacts at the national (The Fens), regional (Planned Peat Fen), local (Fenland) and site level and concludes the following in summary:

	Year 1 (short term)	**Year 15 (long term)** *(with establishment of planting)*
Landscape Impacts		
National – *National Character Area 46 'The Fens'*	Negligible	Negligible
Regional – *East of England Landscape Framework: Landscape Character Type 'Planned Peat Fen'*	Negligible	Negligible

	Local – *Landscape Character Area 8: 'Fenland'*	Minor Adverse	Negligible
	Site – Arable field	Moderate to Minor Adverse	Minor Adverse
	Visual Impacts		
	Residential Receptors *Priory Cottages, Brick Work Cottages, New Fen Farm*	Moderate Adverse to Negligible	Minor Adverse to Negligible
	Road users *Newnham Drove (Link Route to NTS 11 and Wicken Fen)*	Minor Adverse	Negligible
	Public Rights of Way *Footpath CB Burwell 7, Footpath CB Burwell 6#1 and Footpath CB Burwell 6#2. Some of these routes are elevated.*	Moderate to Minor Adverse	Minor Adverse
	Heritage	None	None
	Users of Public Open Space	None	None
	Employees at place of work *(solar farms nearby)*	Negligible	Negligible

Table is a summary of information within the Updated LVIA – Pages 43 to 48

7.49 The LVIA concludes no impacts upon the Chalklands Character Area at national, regional or local levels. It is also evident that even without establishment of planting, many further-afield viewpoints would remain largely unaffected by the development proposals.

7.50 Whilst there are no significant adverse landscape and visual amenity effects of the proposed development individually or cumulatively, harm would still be introduced at a very localised level by the wholesale change from the site's currently arable character. This harm would be the highest in the short to medium term and with proximity to the site or from elevated vantage points. With the establishment of planting however the residual harm is negligible in the majority of cases, with some areas of minor adverse harm remaining for the lifetime of the development. In real terms, this resulting minor adverse harm "*would entail only limited change to the existing landscape…*" (Page 55 of the LVIA).

7.51 Some low-level benefits in the long-term are also envisaged through the introduction of blue (water) and green infrastructure, such as the SuDS pond and biodiversity net gain enhancements, all of which seek to re-introduce a typical fen landscape.

7.52 The proposed planting scheme and bund (as set out at Paragraph 7.18 of this report and within Chapter 6 of the Environmental Statement) are therefore crucial to mitigate the impacts of the proposed development and will be secured via conditions. These conditions will also include a management and maintenance plan for these works over the lifetime of the development.

7.53 Lighting columns are proposed as part of the development proposals, but these are to be activated by motion and in emergency only for security and safety purposes. The landscape and visual impacts with therefore be highly controlled, and short term. A condition will be imposed requiring details of any external lighting prior to its installation which will include ensuring that they are not in continuous use.

7.54 In summary, whilst not significant, the proposed development and scheme of mitigation would result in some immediate (short to medium term) moderate harm and residual low-level (minor adverse) harm to the fen landscape and its openness at a very localised level. This harm is however counteracted with some long-term low-level benefits to the local character of the area through the introduction of blue and green infrastructure. On balance, the proposed development is therefore considered to be acceptable in accordance with Policies ENV 1, ENV 2, ENV 6 and BUR 5 of the Local Plan, Chapter 12 and 15 of the NPPF.

7.55 Agricultural Land and Soil

7.56 The Local Plan does not contain any specific policies regarding the loss of agricultural land or soil impacts but has a presumption in favour of renewable energy developments under Policy ENV 6. As above, the provision of BESS sites is considered to fall under this policy, which itself requires any significant adverse impacts in relation to the local environment. It is considered the loss of agricultural land and soil impacts falls under this criterion.

7.57 The Council's 'Renewable Energy' SPD does however encourage all renewable energy developments to provide an assessment of their impacts upon agricultural land, as well as encouraging the use of lower quality land for the siting of developments.

7.58 The NPPF sets out a stronger presumption against the use of high quality (best and most versatile) agricultural land where significant losses of agricultural required are deemed to be necessary, clarify at footnote 62:

"Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development."

7.59 Whilst temporarily removing an entire field from agricultural use, the proposals would not on their own result in a significant loss of agricultural land given the scale of the proposed development. Whilst the Environmental Statement has concluded that there would be cumulative impacts upon BMV agricultural land availability because of the proposed development, these impacts were not deemed to be significant and residual impacts were considered to be minor as set out in preceding sections of this report.

7.60 It is also considered that based on locational factors, the siting of the development in this location is justified. The area is characterised by higher grades of agricultural land, as is much of the district, and therefore opportunities to use lower grades of agricultural land are limited.

7.61 As well as appropriate soil management, the provision of a targeted 58.48% biodiversity net gain – which is significantly above the mandatorily required 10% - is proposed to mitigate for the loss of the agricultural land. Whilst not immediately addressing matters of food security, it is relevant that biodiversity brings with it a wide variety of benefits that can have direct and indirect benefits for food production, including improving soil quality. Climate change itself is also inherently linked to faltering food yields, a key focus of the Dimbleby Review (2020/2021)[1], giving further impetus to developments that can help stall global temperature rises.

7.62 Overall, it is considered that the loss of the agricultural land across the lifetime of the development is justified, and accords with the Development Plan and the NPPF, with any harms appropriately mitigated through the proposals themselves.

7.63 Residential Amenity

7.64 The proposed development is enclosed by a solid acoustic screen running around the perimeter in the form of a 2.5m (c.8.2 feet) high earth bund, providing attenuation from the noise of the cooling fans and inverter.

7.65 The Applicant's Noise Impact Assessment (NIA) concludes the following:

"The combined sound level at the nearby residential property boundary has been calculated at 17.4dB(A), this is with all fans and inverters operating together with the transformer which will site above the bund. Given a 15dB attenuation for an open window the sound levels to be experienced internally will be 2.4dB(A)"

7.66 The above conclusion is a marked improvement from the scheme's originally submitted form in February 2024, although the NIA concludes that the actual sound pressure levels will need to be determined post-implementation. The NIA itself ultimately concludes that the site's development would not result in any adverse impact on the nearby properties.

7.67 The Council's Environmental Health Officer (Domestic) has reviewed the Noise Impact Assessment submitted, and does not raise any concerns, but recommends conditions securing:

[1] Impact of climate change and biodiversity loss on food security - House of Lords Library (parliament.uk)

- Prior to commencement of use verification report showing compliance with the NIA, and any remedial measures required to remedy non-compliance;
- Prior to commencement of use, the preparation of a Noise Management Plan;
- Controlling of low frequency noise; and
- Provision of a lighting impact assessment if external lighting is required.

7.68 All recommended conditions are considered to be reasonable in the interests of safeguarding residential amenity and have been imposed upon nearby BESS sites to appropriately control noise levels. It is however noted that the location of the application site away from nearby residential receptors minimises the risk of unacceptable noise impacts to low levels in any event.

7.69 Whilst not in close proximity to residential properties, it is considered that a Construction Environmental Management Plan (CEMP) would be appropriate given the nature of the development proposed and the delivery of the equipment to the site along rural droves, potential piling, as well as surface water during construction, construction lighting, and general amenity controls.

7.70 On the basis of the above, the proposed development is considered to be acceptable in accordance with Policies ENV 2 and ENV 9 of the Local Plan and Chapter 12 of the NPPF. Matters of pollution and public health are outlined in the following section.

7.71 Fire Safety, Pollution and Public Health

7.72 With the growing prevalence of BESS sites across the country, battery fires are of growing public concern, attracting increasingly greater media coverage. Battery technology advancements are fast-moving but so is the understanding of the risks associated with BESS sites and batteries in general. More nuanced concepts such as thermal runaway are now widely recognised, meaning these events can be planned for and mitigation embedded into the proposals instead of retrofitted. Until recently planning guidance on BESS sites was also scarce, but the preparation of guidance to reflect National Fire Chief Council guidance is now material to all BESS applications.

7.73 The above being noted, the prevalence of BESS fires are still very rare due to high levels of site monitoring and fail safes to prevent a malfunction event, such as a fire. Whilst rare, the Local Planning Authority and Applicant nevertheless recognise that should a malfunction event occur, it could pose a significant risk to human health and the environment.

7.74 It is on this basis that, in accordance with National Fire Chief Council's guidance and at the request of the LPA at pre-application stage, the Applicant has prepared a comprehensive Fire Rescue Safety Management Plan and Fire Water Management Plan. These reports were used to guide the site's layout, including the provision of an emergency access ring-road, lined attenuation pond, fire isolation valve, and drainage network.

7.75 The reports provide a comprehensive assessment of fire and operational risk, and how these risks have been minimised. Equipment specifications are provided as are the regulations they have been tested against. The reports provide a comprehensive response to a malfunction event, with varying levels of automatic, remote and on-

site/manual response. The reports also cover engagement with the relevant authorities, and how the site will be restored to baseline levels prior to resuming operation. A process of site monitoring, management and improvement is also clear throughout the reports, as is a clear understanding of public health and environmental risks, and how these are to be minimised.

7.76 Cambridgeshire Fire and Rescue Service have also been made aware of the site. No objection has been received. In informal discussion with the Fire and Rescue Service, they are aware of the application site, and should consent be granted, it is the intention of the Fire and Rescue Service to provide an action plan for the proposed development as a post-consent matter.

7.77 Regarding fire suppression specifically, each battery pack is to be actively heated, ventilated and/or cooled as appropriate. The site is designed to operate in accordance with the following three principles of battery safety:

Fire prevention – using battery technology proven to be at low risk of thermal runaway/fire, including liquid cooling, aluminium casing.

Equipment monitoring – automatic and remote monitoring of operational parameters to promptly respond to warnings and prevent faults. This includes remote temperature management.

Fire suppression – in the event that fire, smoke, or other gases are detected, then systems are in place to suppress any ignition to prevent a runaway event. Fire Protection Fluid is proposed to extinguish any open flame upon activation.

7.78 Regarding surface water and firewater management, the following is a summary of the surface and fire water management plan (FWMP), which aims for full containment on-site of firewater run-off:

- Impermeable engineered base for development areas;
- Herringbone surface water drainage system draining to a subsurface perforated pipe network, diverting to the attenuation pond;
- Perimeter drain to capture any residual runoff not collected by the stormwater drain, diverting to the attenuation pond;
- Lined attenuation pond to prevent discharge to ground of potentially contaminated water;
- Manual fire isolation water valve within the attenuation pond;
- Location and testing of the valve to form part of the site's Operation & Maintenance and Incident Response Plans;
- 2,525m^3 of firewater storage capacity on site or 12 hours of storage (NFCC guidance requires 2 hours minimum);
- Enter into an agreement with a local emergency waste disposal service, who can provide a sealed mobile tanker to the site within a 22-hour period;
- Perimeter access track for emergency vehicle access;
- Review of FWMP following an event, and any remediation measures;
- Closure of isolation valve, removal of damaged equipment, and cleaning of site and drainage system following an event. Stripping and disposal of attenuation pond topsoil if necessary;

- Only once the Topsoil is deemed safe or is replaced, the drainage system has been suitable washed and the water entering the attenuation pond has been suitably tested and satisfies the relevant Environmental Quality Standards (EQS), will the Fire Isolation Valve be re-opened and surface water runoff be allowed to discharge to the land drain adjacent to the site as per the normal operating procedure for management of stormwater.
- Following the fire incident, updates to the O&M and Incident Response Plans will be made using site observations, feedback from CFRS and 'lessons learned'.

7.79 In summary, the on-site drainage network has been designed to capture and divert firewater to the lined attenuation basis in the event that water is used as a means of suppression. An isolation valve ensures the containment of this water, which would be tankered away, instead of discharged to the nearest water body. Perimeter drainage channels provide a secondary line of defence, to ensure that any other water is diverted to the attenuation pond. Appropriate site de-contamination and 'lessons learned' are to be incorporated into the response, prior to any operations resuming as normal and surface water being discharged to the local IDB watercourse.

7.80 Regarding an emergency response plan, a condition will be imposed requiring its preparation, as well as a risk management plan, site operation and maintenance plan, and incident response plan, all to be prepared in accordance with the principles set out in the Fire Rescue Safety and Management Plan, which follows the NFCC's guidance. All of these documents would be subject to further consultation at discharge of condition stage, including with the Council's emergency planner.

7.81 The site's operation in accordance with the Fire Water Management Plan and the Fire Rescue Safety and Management Plans will also be secured via conditions as appropriate (for example through drainage design).

7.82 Regarding water supply, the attenuation pond within the site is designed with a permanent water level of 1,365m^3 of water to provide an alternative or additional water supply. The proposals also seek to deliver a fire water connection point within the south-east corner of the site by connecting to local land drains, for which the Applicant already holds an extraction licence. Details are provided on FWMP-001 and FWMP-003. It would be expected that evidence of this connection and abstraction licence for fire-fighting purposes are required prior to the site's operation (or an alternative means of water connection/hydrant), in the interests of fire safety, public health and environmental impacts.

7.83 The Council's Environmental Health department have not raised any objections to the proposals on the basis of the reports prepared and recommendations made. The Scientific Officer notes that the abstraction licence would need to cover water for fire-fighting purposes specifically, as well as ensuring adequate quantities. The above-mentioned condition should appropriately satisfy this concern. The Scientific Officer also raises no concerns regarding ground pollution, with no further investigations required.

7.84 The Scientific Officer has also raised no concerns with regard to the Fire Water Management Plan, subject to the approval of the Fire and Rescue Service. As above, the Fire and Rescue Service are aware of the site and have informally confirmed that

as a post-consent matter, they would engage further with the site in creation of an action plan.

7.85 It should be noted that the submitted Fire Rescue Safety and Management Plan and Fire Water Management Plans are highly technical documents, and it is beyond the expertise of the Local Planning Authority itself to consider or comment on their technical acceptability. Therefore, in accordance with the NPPG, statutory consultees with technical expertise in matters of fire safety, environmental pollution and public safety were consulted on the document to provide the Local Planning Authority with expert guidance on these matters.

7.86 This consultation was extensive, being sent for consultation with the Fire and Rescue Service (as per the NPPG), Health and Safety Executive, Environment Agency, the Council's Environmental Health Department, Lead Local Flood Authority (LLFA), Internal Drainage Board, Ambulance Service and Police Service. The Parish Council, Ward Councillors and neighbours were also consulted.

7.87 In the absence of technical or safety concerns being raised by statutory consultees to suggest otherwise, it is concluded that the Applicant has complied with the NPPG's guidance and that the submitted reports and those to be secured via conditions are acceptable to address matters of fire safety, pollution and public health, as well as environmental impacts.

7.88 It is on this above basis only that the proposals are considered to be acceptable in accordance with Policy ENV 2 and ENV 9 of the Local Plan and the NPPF, subject to the development being carried out in accordance with the Fire Rescue Safety and Management Plan and Fire Water Management Plan recommendations, Emergency Response Plan, contamination reports and drainage strategy.

7.89 Biodiversity Net Gain, Trees and Ecology

7.90 The application proposals were submitted in February 2024, when mandatory biodiversity net gain (BNG) regulations came into effect. The site is therefore required to deliver a 10% improvement upon the site's baseline as part of the development proposals following the mitigation hierarchy and would be subject to the General Biodiversity Gain Condition. These improvements must be maintained for a minimum of 30 years if deemed significant.

7.91 The site is currently an arable field and is targeting a 58.48% net gain above baseline levels. This is a significant benefit of the scheme.

7.92 Given the level of net gain to be achieved, this would be deemed as significant, and in accordance with practice guidance would require a S106 legal agreement for its maintenance, management and monitoring over a period of 30 years as a minimum.

7.93 As the net gain is however being proposed as part of the mitigation strategy for the loss of the agricultural field and landscaping strategy, it is considered important to maintain this net gain for the lifetime of the development, a minimum of 40 years from commencement of operation of the site. This 40 year period will a requirement of the S106 agreement supporting the application, should a resolution to grant be reached.

7.94 The site is also supported by an Ecological Impact Assessment, which recommends a number of ecological enhancement measures and mitigation measures during construction. Given the introduction of an attenuation basin which may be required to hold contaminated firewater, it is considered important that barrier fencing for water voles and newts is secured via a condition. Whilst this limits the ecological potential of the pond, it is the ecologically best scenario to ensure minimal harm to local wildlife.

7.95 The Council's Senior Ecologist has raised no objections to the proposed development subject to conditions ensuring compliance with the EIA and the securing of a S106 legal agreement for BNG purposes. The Council's Senior Ecologist also recommends the securing of a Habitat Management and Monitoring Plan, to detail how the site's net gain will be managed. It is considered that this can be secured under the General Biodiversity Gain Condition.

7.96 The Council's Trees Officer is also content with the soft landscaping scheme proposed, and seeks a condition to secure the development's compliance with it.

7.97 On the above basis, the site is considered to wholly accord with the objectives of Policy ENV 7 of the Local Plan, the Natural Environment SPD and Chapter 15 of the NPPF.

7.98 Transport and Highways

7.99 The application proposals are not likely to be a significant generator of additional traffic during their operation but will likely contribute to increased traffic flows during their construction and decommissioning, particularly with larger vehicles.

7.100 The Local Highways Authority and Transport Assessment Team raise no objections to the proposed development but recommend the imposition of a Construction Traffic Management Plan. A CTMP would seek to control construction traffic routing, timing of deliveries, temporary vehicle turning, control parking, measures to prevent mud being dragged onto the highway and any other controls to maintain highway safety during the construction phase. It is likely the CTMP and CEMP could be combined as a singular document.

7.101 It is not considered appropriate at this stage for the CTMP to cover decommissioning, as it would unlikely be able to appropriately forecast for conditions 40-years in advance. A separate decommissioning plan and CTMP will therefore be a conditional requirement prior to the site's decommissioning.

7.102 It is acknowledged that the Newnham Drove is not of a high quality and better suited to agricultural vehicles. The site is not proposed to be a source of high levels of on-site employment, with limited inspection trips required. The quality of the road is not therefore considered to be of significant material concern in this regard.

7.103 Any damage to the road during construction would however need to be made good as it is a public highway, and these controls can be included both within the CTMP/CEMP, but also fall under separate highway legislation.

7.104 The Asset Information Definitive Map Team (the County Council team concerned with Public Rights of Way, have not raised any objection to the proposed development

upon Public Rights of Way. It is noted in their response that Newnham Drove is the subject of applications for bridleways. These applications have been in since 2022 and when seeking clarification from the Asset Information Definitive Map Team the determination date or outcome is still unclear. Very limited weight is therefore attributed to these applications.

7.105 It is on the above basis that the site is considered to be acceptable in accordance with Policies COM 7 and COM 8 of the Local Plan and Chapter 9 of the NPPF.

7.106 Flood Risk and Drainage

7.107 The site's surface water and fire-water drainage strategy have been set out above.

7.108 The site lies within Flood Zone 3 for the purposes of Environment Agency mapping, and the Local Plan (ENV 8) and NPPF directs that the Local Planning Authority must undertake the Sequential and Exception Tests. Whist falling within 'essential infrastructure' for the purposes of flood vulnerability classification (Annex 3 of the NPPF), the sequential test still applies, as does the exception test as the development falls within Flood Zone 3.

7.109 As a sequential approach to locating flooding in lower risk areas, the site selection process has evidenced that proximity to Burwell's substation is required. The majority of land between Wicken Fen and Burwell falls within high-risk flood zones, particularly within the Applicant's 2km (1.24-mile) search area. Sites further to the south and east would bring development closer to residential properties, which is less preferable. On this basis, it is considered that the Sequential Test is passed.

7.110 Regarding the exception test, paragraph 170 of the NPPF requires that it must be evidenced that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

7.111 The Environment Agency raise no objections to the proposed development but recommend that a detailed flood action plan is prepared for the site as recommended within the Applicant's Flood Risk Assessment. It is considered necessary in the interests of flood risk management for this to be conditioned.

7.112 The Lead Local Flood Authority raise no objection to the site's surface water drainage strategy, which discharges into the nearby IDB watercourse at the appropriate 1.1 litre/second. The LLFA do however recommend a condition relating to detailed surface water design, based upon the Flood Risk and Drainage Assessment Report submitted. It is considered necessary that this is conditioned.

7.113 The scheme is considered to inherently provide wider sustainability benefits to the community to outweigh the flood risk, as it is contributing to the efficiency of renewable energy amongst other benefits such as grid balancing and low-carbon

development. On this basis and the comments from statutory consultees, the exception test is considered to be passed.

7.114 Matters of water pollution have been addressed under the fire safety and pollution section of this report.

7.115 On the above basis, the development is considered acceptable in accordance with Local Plan Policy ENV 8, Chapter 14 of the NPPF and the Flood and Water SPD.

7.116 Other matters

7.117 *Heritage Impacts* – the proposed development is considered to be located a sufficient distance from any designated and non-designated heritage assets so as to result in no impact upon their setting or significance. The County Council's Historic Environment Team raise no objection to the proposed development subject to a pre-commencement archaeological condition, which is considered to be acceptable to appropriately safeguard any archaeological heritage assets. The development is therefore acceptable in respect of Policy ENV 14 of the Local Plan or Chapter 16 of the NPPF.

7.118 *Site Security* – the Designing Out Crime Officer generally raises no concerns with the scheme's design in respect of its susceptibility to crime. Matters of infrared cameras, boundary treatment/fence details and gates will all be secured via conditions.

7.119 Minerals and waste – the Minerals and Waste Authority raise no objection to the proposed development, noting that *"the proposed development site is relatively small. The MWPA considers that, although the extent of the resource within the site is unknown, the nature of the development and size of the site means that complete prior extraction is, in this case, unlikely to be feasible."*

7.120 The MWPA advise that, should the Local Planning Authority be of the view that there is an overriding need for the development, they would be content that Policy 5 has been addressed, subject to the following informative being included in any permission:

"The site lies within a Chalk Mineral Safeguarding Area and a Sand and Gravel Mineral Safeguarding Area, which indicates that there may be underlying chalk and sand and gravel resources. The Minerals and Waste Planning Authority considers that prior extraction is unlikely to be feasible and that there is an overriding need for the development. Prior extraction of the resource has, therefore, not been required in this instance. However, the applicant is encouraged to make best use of any chalk and sand and gravel that may be incidentally extracted as part of the development."

7.121 The extraction of any chalk, sand and/or gravel from the development would need to be carefully balanced against the proposed soil protection measures set out within the Environmental Statement. Ultimately, compliance with the Minerals and Waste Local Plan is concluded, subject to the above.

7.122 *Implementation of Development* – the BESS is intended to have a 40-year operational life, followed by decommissioning. The Applicant originally requested a longer implementation period due to potential grid connection delays, which are guided by

the National Grid. A period of 10 years implementation was originally sought, on the basis that grid connection delays are currently extending to similar periods of time, with 76 connections waiting connection in 2030 or beyond. It is nevertheless important to note that the Applicant has secured a grid connection secured, and a three-year standard implementation is considered justified. This matter has been clarified with the Applicant's Agent.

7.123 Planning Balance

7.124 The application seeks consent for the erection of a Battery Energy Storage Facility with associated works.

7.125 Subject to the mitigation set out within the Environmental Statement, the proposed development would not result in any significant adverse cumulative environmental effects in terms of loss of agricultural land and soils, or landscape and character impacts.

7.126 The development will still give rise to localised moderate visual harm in the short-to-long term, with a residual low level of harm. This is based on the temporary loss of an entire agricultural field for active cultivation for a period of over 40 years, and introduction of urbanising development that will adversely affect the character of the area. Whilst weighing against the proposals, embedded and additional mitigation measures identified seek to reduce this harm to acceptable levels, resulting ultimately in some modest benefits. This is namely through the resting of the soils and introduction of traditional fen landscaping and noting that the impacts are not permanent. Ultimately, compliance with the Development Plan and the NPPF is concluded regarding landscape and character impacts, as well as loss of agricultural land. This attracts an overall neutral weighting.

7.127 The development proposals are considered to be acceptable in all other technical respects. This also attracts an overall neutral weighting.

7.128 Regarding the proposed benefits of the scheme, the urgent need for low-carbon developments is clearly outlined in local and national policy, which calls for recognition of the contribution of schemes both small and large to meeting renewable energy targets and addressing the climate emergency. The development benefits from an immediate grid connection (subject to planning), with a targeted operational date in 2025, meaning it could make a prompt contribution to the network and achieving net zero targets. The proposals also seek to deliver a 58.48% biodiversity net gain, significantly in excess of the mandatory 10% minimum. In combination these benefits are cumulatively considered to attract substantial weight in favour of the proposals.

7.129 On the basis of the above, the compliance with the Development Plan and National Planning Policy Framework, and substantial material benefits of the scheme, direct that planning permission should be granted for the development.

7.130 Members are therefore recommended to approve the development proposals subject to the recommended conditions contained at **Appendix 1** and the preparation and signing of a S106 legal agreement to secure biodiversity net gain.

8.0 COSTS

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case members' attention is particularly drawn to the following points:

- The policies of the Development Plan;
- The Council's declaration of a Climate Emergency;
- The national policy position on net zero, low carbon and renewable energy, as set out within National Policy Statements (EN-1 and EN-3);
- The Applicant's agreed grid-connection; and
- The locational requirements of the development as defined by the technology and network operators' guidelines.

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions
9.2 Appendix 2 – Environmental Statement Summary

Background Documents

24/00160/ESF

National Planning Policy Framework - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 - http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf

Appendix 1 – Recommended Conditions

Plans and compliance

1. The development shall be carried out in accordance with the following plans and drawings:

Plan Reference	Version No	Date Received
Topo		13th February 2024
ALP-CB25-0AH-12	B	18th June 2024
ALP-CB25-0AH-13	A	18th June 2024
ALP-CB25-0AH-15	A	18th June 2024
ALP-CB25-0AH-16	A	18th June 2024
ALP-CB25-0AH-17	A	18th June 2024
ALP-CB25-0AH-18	A	18th June 2024
ALP-CB25-0AH-04	D	18th June 2024
ALP-CB25-0AH-05-D-INNER	D	18th June 2024
ALP-CB25-0AH-05-D-OUTER	D	18th June 2024
ALP-CB25-0AH-06	B	18th June 2024
ALP-CB25-0AH-07	A	18th June 2024
ALP-CB25-0AH-10	B	18th June 2024
ALP-CB25-0AH-11	C	18th June 2024
ALP-CB25-0AH-14	C	18th June 2024
ALP-CB25-0AH-01	D	1st July 2024
ALP-CB25-0AH-02	F	1st July 2024
Fire Rescue Safety Management Strategy	2.0	1st July 2024
Fire Water Management Plan Summary	V4	1st July 2024
Noise Assessment		1st July 2024

Ecological Impact Assessment	005	1st July 2024
UG_2272_LAN_GA_DRW_101	P15	1st July 2024
UG_2272_LAN_GA_DRW_301	P15	1st July 2024
Flood Risk and Drainage Assessment Part 1	V4	1st July 2024
Flood Risk and Drainage Assessment Part 2	V4	1st July 2024
Flood Risk and Drainage Assessment Park 3	V4	1st July 2024

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

3. There shall be no construction, demolition, deliveries to, from or vehicle movements within the site outside the hours of 0730-1800 Monday - Friday and 0730-1300 on Saturdays, with no working on Sundays or Bank and Public Holidays, except in an emergency or in the case of alternative temporary working hours first agreed in writing with the LPA.

   Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023). The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

4. This permission shall be for a limited period only, expiring 40 years and six months after the date of the facility hereby permitted being first being brought into operational use (taken as when the development hereby approved has started to store or distribute electricity to/from the Grid). Written notification of the date of the facility hereby permitted being first brought into operational use shall be provided to the LPA no later than 14 days after the event.

Reason: To define the temporary permission, as the application has been assessed and determined on this basis, and in order to comply with the provision of Section 72 of the Town and Country Planning Act 1990.

Before Development Commences

5. No development, including vegetation/site clearance, shall commence on site until a detailed 'Landscape and Ecology Management & Monitoring Plan' (LEMMP) for all soft landscaping (including bunds and attenuation pond(s)) and habitat creation within the application site has been submitted to and approved in writing by the Local Planning Authority. This plan shall cover the operational lifetime of the development and include long term design objectives, management responsibilities, creation timescales and maintenance schedules for all landscaped areas of the development site. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority for the duration of the development's lifetime. The Plan shall include, as a minimum, the following:

   a) Details on the creation and management of all landscaping (including bunds and attenuation pond) and target habitats identified within the Biodiversity Net Gain Assessment Report and Metric and approved landscape plan (Ref. UG_2272_LAN_GA_DRW_301 REV P15) for on-site net gain.
   b) Survey and monitoring details for all target habitats identified within the Biodiversity Net Gain Assessment Report and Metric, including targeted review years.
   c) Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report.
   d) Details of and scheme of installation, inspection and maintenance of water vole/newt fencing for any attenuation pond(s) to be created as part of development.

   Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023), to secure the mitigation measures as set out within Chapters 6, 7 and 8 of the Environmental Statement, and in accordance with the Environment Act 2021 (Schedule 7A). This condition is pre-commencement as it relates directly to and informs the pre-commencement biodiversity condition set out under Schedule 7A of The Environment Act 2021.

6. No development including enabling works, demolition, site clearance and ground works shall commence on site, until a Construction Environmental and Traffic Management Plan (CETMP) to cover the construction phase of the hereby approved development. has been submitted to and approved in writing by the local planning authority. The CETMP shall include, but not be limited to, the following issues:

   a) Parking and turning areas for construction and delivery vehicles and site personnel,
   b) Site security and site compound for the construction phase,

c) Loading, unloading and storage of plant and materials used in constructing the development,
d) Temporary vehicle turning,
e) Measures to prevent mud/debris being deposited onto the public highway,
f) Construction lighting and measures to minimise light pollution,
g) Construction traffic routing and means of access,
h) any other controls to maintain highway safety during the construction phase,
i) Mitigation measures for noise, dust and lighting during the construction phase,
j) Soil management, soil protection and drainage measures (including subsurface).

The agreed CETMP must be adhered to at all times during all phases of the hereby approved development.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and to secure the mitigation measures to protect soil quality as set out in Chapter 7 and 8 of the submitted Environmental Statement and in accordance with Policy ENV 6 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Renewable Energy SPD. The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

7. No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
a. The statement of significance and research objectives;
b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
c. The timetable for the field investigation as part of the development programme;
d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with Policy ENV 14 of the East Cambridgeshire District Council Local Plan 2015 (as amended 2023) and national policies contained in the National Planning Policy Framework (December 2023). This condition is pre-commencement as it requires investigation of potential archaeological heritage assets below ground.

8. No development shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan for the duration of the development's lifetime.

   The scheme shall be based upon the principles within the agreed Flood Risk and Drainage Assessment Report prepared by Gondonlin Land & Water Ltd (ref. GON.0304.0185 Version 4) dated 1 July 2024, the Fire Water 'Strategy Principles and Design Proposals' (pages 10 and 11) of the Fire Water Management Plan (V4 – June 2024) and shall also include:

   a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
   b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
   c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
   d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
   e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
   f) Full details of the maintenance/adoption of the surface water drainage system;
   g) Permissions to connect to a receiving watercourse or sewer;
   h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

   Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2, ENV8 and ENV 9 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is pre-commencement as it requires details of below-ground works.

Prior to above ground

9. Prior to above ground works, notwithstanding the submitted plans, full details, materials and colours of the approved battery solution, inverters, transformers, control room, switchgear substations, fencing, gates and CCTV cameras including their position on

site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and thereafter retained for the duration of the development's lifetime.

Reason: To safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

10. No above ground construction shall take place until details of a means of water supply for fire-fighting purposes within the application site has been submitted to and approved in writing the Local Planning Authority. The details provided shall be to a standard recommended by the Cambridgeshire Fire and Rescue Service. and shall include details of the abstraction licence where necessary. The approved means of fire-fighting water supply shall be installed and completed in accordance with the approved details prior to the first operational use of the hereby approved development and thereafter maintained for the operational lifetime of the development.

    Reason: In the interests of public safety and ensuring any risks associated are suitably identified and an appropriate mitigation plan is devised in accordance with Chapter 8 of the National Planning Policy Framework (December 2023).

11. No above ground construction shall commence until full details of all hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the first operational use of the hereby approved development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to the first operational use. Thereafter the approved hard landscaping shall be maintained for the lifetime of the development.

    Reason: To safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

12. Prior to the commencement of development above ground level, a detailed Flood Action Plan shall be prepared for the site and submitted for approval in writing by the Local Planning Authority. The Flood Action Plan shall be prepared in accordance with the principles established at Section 4.2 of the agreed Flood Risk and Drainage Assessment Report prepared by Gondonlin Land & Water Ltd (ref. GON.0304.0185 Version 4) dated 1 July 2024. The agreed Flood Action Plan shall be adhered to for the lifetime of the development.

    Reason: In the interests of public safety and ensuring any risks associated are suitably identified and an appropriate mitigation plan is devised in accordance with Chapter 8 of the National Planning Policy Framework (December 2023).

Before Operation

13. Prior to first operational use of the development hereby approved, a Risk Management Plan, Emergency Response Plan, Incident Response Plan and site Operation and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the local Fire and Rescue Service. These plans shall be developed using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS (Version 1.0 dated November 2022 or, where any subsequent guidance that supersedes this, in accordance with the most up-to-date guidance) published by National Fire Chiefs Council, and the principles established in the submitted Fire Rescue Safety and Management Strategy (Version 2.0, June 2024). Where the aforementioned guidance cannot be adhered to in full, an explanation of why shall be provided within the requested plans. Thereafter, these plans shall be implemented prior to the first operational use of the development and the operation of the site shall not take place other than in full accordance with them during the lifetime of the development.

    Reason: In the interests of public safety and ensuring any risks associated are suitably identified and an appropriate mitigation plan is devised in accordance with Chapter 8 of the National Planning Policy Framework (December 2023).

14. Prior to first operational use of the development hereby approved, all soft landscaping works (including bunds) shall be carried out in accordance with the approved scheme as shown on Drawing Ref. UG_2272_LAN_GA_DRW_301 REV P15. If during the lifetime of the development any tree or plant dies, are removed or become seriously damaged or diseased they shall be replaced in the next planting season with others of similar size and same species as that originally planted shall be planted at the same place, unless the Local Planning Authority gives it consent to any variation.

    Reason: To safeguard the character and appearance of the area, safeguard and enhance biodiversity, and secure the mitigation measures set out within Chapter 6 and 8 of the submitted Environmental Statement, in accordance with Policies ENV 1, ENV2, ENV6, ENV 7 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

15. Prior to the first operational use of the development hereby approved, a verification report to demonstrate compliance with the sound pressure levels as set out at Page 24 of the approved Acoustic Report prepared by Martin Environmental Solutions Ltd (dated June 2024), and detailing the methodology, measurement positions, detail of any results, calculation method (where appropriate) and a report of findings, shall be prepared by an independent qualified Noise Consultant and submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

16. Where the assessment under Condition 15 shows non-compliance with the sound pressure levels as set out at Page 24 of the approved Acoustic Report prepared by Martin Environmental Solutions Ltd (dated June 2024), a report detailing an action plan and timetable of works for further mitigation to comply with these levels shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall thereafter be carried out in accordance with the approved timetable and maintained for the lifetime of the development.

    Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

17. Prior to the first operational use of the development hereby approved, a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Noise Management Plan shall include details for a schedule of regular noise monitoring and any mitigation of noise levels to ensure compliance with the rating level contained within the BS4142 assessment table on Pages 10 and 11 of the Acoustic Survey prepared by Martin Environmental Solutions Ltd (dated June 2024). The operation of the hereby approved development shall thereafter be carried out in accordance with the approved Noise Management Plan.

    Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

18. Prior to the first operational use of the development hereby approved, details of any external lighting to be used as part of this facility shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall be designed in accordance with Bat Conservation Trust/Institution of Lighting Professionals Guidance Note 08/23 Bats and Artificial at Night (or any guidance superseding this). Submitted lighting plans should be accompanied by contour diagrams that demonstrate minimal levels of lighting on receptor habitats, including trees and hedges. The lighting shall then be installed in accordance with the approved details and shall be retained as such for so long as it remains on site. No other lighting shall be installed without the prior written permission of the Local Planning Authority.

    Reason: To safeguard the residential amenity of neighbouring occupiers, to safeguard the character and appearance of the area, and to protect and enhance species, in accordance with policy ENV1, ENV2, ENV7, ENV6 and BUR5 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

19. Prior to first operational use of the development hereby approved, the scheme of biodiversity enhancement measures as set out at Section 7.3.2 Ecological Impact Assessment prepared by Greenwillows Associates Ltd (dated February 2024, Version 005) shall be implemented and thereafter retained for the duration of the development's lifetime.

    Reason: To protect and enhance species, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

Other Conditions

20. Low frequency noise from the site shall not exceed the criteria in any single 1/3 octave-band between 10 Hz and 160 Hz of the criterion curve set out in Section 4.1 of NANR45.

    Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 and ENV6 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

21. The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway. These measures shall thereafter be maintained for the lifetime of the development.

    Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

22. Not less than 12 months before the expiry of this permission (as defined by Condition 4), or the planned cessation of the site's operational use as a battery energy storage system/facility, whichever is the sooner, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

    The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the expiry of this permission as defined by Condition 4 of this consent or within 6 months of the planned cessation of the site's use, whichever is sooner. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

    Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

23. If following implementation of the permission the site fails to become operational within 24 months or having become operational becomes non-operational for a period exceeding 18 months within the time limit set by Condition 4, unless otherwise agreed in writing by the Local Planning Authority, the use shall be considered to have ceased. Within 3 months of such ceasing of the use, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

    The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the ceasing of the use as defined above. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

    Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

24. No construction or operation of the hereby approved development shall take place other than in accordance with the ecological mitigation measures and recommendation set out within Section 7.0 of the Ecological Impact Assessment prepared by Greenwillows Associates Ltd (dated February 2024, Version 005).

    Reason: To protect and enhance species, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. Unless otherwise agreed in writing by the Local Planning Authority, no further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

    Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

Mandatory Biodiversity Net Gain

If approved, the application is also subject to the mandatory General Biodiversity Gain Condition, which requires that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

This condition is 'automatically' applied to all major planning applications submitted after 12th February 2024, subject to transitional arrangements and exemptions apply. It is not to be applied as a 'standard' condition in the main list of conditions, nor is it worded as such, but the Local Planning Authority are still required to provide a certain level of information on the decision notice to advise the Applicant/Developer of where the appropriate legislation and details can be found.

Environmental Statement Summary by East Cambridgeshire District Council

Recommended Decision and Conditions

Planning Committee is being asked to grant approval for this application on the 6th November 2024, subject to the recommended conditions set out at Appendix 1 of the Committee Report and the preparation of a S106 agreement to secure biodiversity net gain.

Application details can be found on: 24/00160/ESF | Battery energy storage facility and associated works | Site At Anchor Lane Farm Newnham Drove Burwell (eastcambs.gov.uk)

Reasoned conclusion on the significant effects of the development on the environment

It was considered that an Environmental Statement was needed to cover the significant amount of energy farm developments having taken and potentially taking place in the locality in respect of the potential for there to be a cumulative significant impact upon the visual character of the area and the amount of high-quality farmland being used.

This was detailed under reference 24/00158/SCREEN.

The developer submitted an Environmental Statement to address matters of cumulative impact, with supporting documents including a Soil Assessment and Landscape Visual Impact Assessment.

The Non-Technical Summary of the Environmental Statement concludes:

"41. The overall conclusion of this ES is that the proposed development would have no effects which in EIA terms are considered to be significantly adverse.

42. A major beneficial effect which is significant in EIA terms is expected as a result of the habitat enhancement measures proposed across the Site as part of the Proposed Development, including a comprehensive landscaping scheme, a significant amount of Biodiversity Net Gain at 58.48%.

43. In addition to the advantages associated with the production of renewable energy, the long-term effects of the Proposed Development are considered to be positive.

44. Overall, the conclusion of the ES is that, in environmental terms, the development is acceptable, and its impacts would be positive, helping to promote renewable energy delivery on an available site."

Main reasons and considerations on which the recommended decision is based

The recommended decision was based on the information provided by the Applicant that formed the Environmental Statement. 'Further information' was also received in September 2024, at the request of the Local Planning Authority, in order to inform their reasoned assessment of likely significant effects. In addition to this it was based on consultation responses.

The application was considered and recommendation made with regard to the East Cambridgeshire Local Plan 2015 (as amended 2023); the Supplementary Planning Documents adopted by East Cambridgeshire District Council; the National Planning Policy Framework 2023 (December); National Planning Policy Statements (EN-1 and EN-3); Cambridgeshire and Peterborough Minerals and Waste Plan 2021; and Planning Practice Guidance.

It was not considered necessary to seek independent specialist advice on agricultural land or landscape impact given the detail of the information submitted by the Applicant.

Summary of results of the consultations undertaken and how these results have been incorporated or otherwise addressed

A range of consultees and local residents mentioned biodiversity and wildlife impacts; noise impact; fire safety and pollution concerns; landscaping concerns; and impacts to roads and rights of way.

The committee report covers relevant material planning considerations and the concerns raised. The relevant parts in the committee report relating to the Environmental Statement are as follows:

7.1 Environmental Statement

7.2 The application was screened in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) under planning reference 24/00158/SCREEN, under which it was concluded that the application warranted the preparation of an Environmental Statement. This was based on the potential impacts of the cumulative loss of Best and Most Versatile agricultural land and cumulative erosion of the fen landscape and its openness when considering planned, consented and operational solar farms and renewable energy developments in the surrounding area and district.

7.3 The Applicant subsequently prepared an Environmental Statement valid as of the 1st of July, with further information provided in September 2024 to supplement this. A summary of the Environmental Statement's conclusions are set out below.

Best and Most Versatile Land – Agricultural Land and Soils

7.4 The site measures c.2.32-hectares (c.5.73-acres) and is predominantly Grade 2 agricultural land, with small areas of Grade 3a. The land is therefore considered to be largely of very good quality, falling within the category of 'Best and Most Versatile' (BMV) land as defined by Appendix 2 of the National Planning Policy Framework.

7.5 Across the 40-year operational lifespan of the development, the proposals would result in the loss of c.2.32-hectares (c.5.73-acres) of BMV land due to the proposed development. Whilst only c.1.28-hectares (c.3.16-acres) of land would be lost to the compound, batteries and hard landscaping itself, the remaining c.50% of land for use as BNG and attenuation would also be functionally removed from agricultural use by virtue of its intended use. The Environmental Statement recognises that there is therefore potential for cumulative impacts on soil and agricultural land quality, when assessed against other consented and operational developments.

7.6 When assessing the loss of the site cumulatively with nearby solar developments (Hightown Drove/Burwell Farm, Bracks Farm, North Angle Farm, Goosehall Farm and Sunnica (West), the Environmental Statement at Chapter 7 concludes a cumulative impact of 0.40045% loss of BMV within the district, with the development itself only representing a 0.00045% loss of BMV. This is a very small proportion. The committed developments assessed were based on the accepted assessment for LPA Ref. 20/00557/ESF immediately to the east and south of the site.

7.7 Reference is also made to the long-term (100 year) vision to expand Wicken Fen over 53-square kilometres, within which the site would fall, and which would see substantial losses of agricultural land in favour of restoring the traditional fen landscape. This was a consideration of the adjoining solar farm, and although not a committed project, provides context for this area of the fens.

7.8 The Environmental Statement concludes that, whilst over a 40-year period, the proposals would not lead to a permanent long-term loss of arable farmland nor would they result in changes to the fundamental quality of the land, only its utilisation. Whilst cumulative effects in respect of BMV are identified, this is a very small impact resulting in a minor level of effect and is not therefore significant.

7.9 This conclusion is based upon the following embedded mitigation required to reduce the effects of the development on soils and agricultural land:

- **Soil protection** – site management to prevent driving over agricultural land and soil rutting, which can damage soil structure and cause compaction.
- **Soil handling** – preparation of a Soil Management Plan prior to any soil handling on site.

- **Drainage and water** – protection of existing surface water drainage systems, and maintenance of existing subsurface drainage.

7.10 Chapter 8 also recommends *additional* mitigation measures for the protection of soil in respect of passing bays, turning areas, soil handling methods, soil handling conditions, separate handling of different soils and water supply via an attenuation pond.

7.11 The targeted 58.48% biodiversity net gain is also proposed as a mitigation for this minor level effect (Chapter 8), which whilst delivering a significant benefit on its own, would also aid in the reduction of artificial fertilisers and sprays on the land during the cessation of agricultural use.

7.12 Chapter 8 of the Environmental Statement also clarifies that, *"Once decommissioned and returned to agricultural use, the soil condition is likely to have improved compared to the current baseline and this would have long term benefits in term of the agricultural quality of the Site".* The Statement considers this a Minor Beneficial effect. The Statement also concludes a Major Beneficial effect of the targeted 58.48% biodiversity net gain, and the nature of the development in supporting renewable energy infrastructure is also concluded as positive.

7.13 If not developed, Chapter 7 of the Environmental Statement concludes that the site *"will most likely continue in intensive arable use. This will cause continued oxidation of organic matter in the topsoil reducing its value as a carbon sink, with a general lowering of agricultural land quality. This is not suggesting that the ALC grades would be reduced, but that the lower organic matter could affect the workability and resilience to structural damage in wet conditions and reduce the available moisture capacity in dry conditions. If the development proposal is given planning consent, intensive arable production would cease for 40 years, with a possible consequence of improving the organic status of the topsoil with a general improvement in long-term quality on the land."* It is therefore inferred that the quality of the soil and agricultural land quality would be similar, if not marginally worse, if the site was not developed as opposed to developed.

7.14 Overall, due to the temporary and reversible nature of the proposed development and its scale, it is considered that cumulatively, the proposed development would result in low-level harm to agricultural land and soils in the short to long-term, with potentially modest long-term benefits (post 40 years). However, subject to appropriate mitigation, no significant effects on the environment are identified upon agricultural land and soils either individually or cumulatively.

Landscape, Character and Openness

7.15 With regard to landscape and visual impacts, at a local level the site sits within the Fenland Character Area (as defined within the Cambridgeshire

Landscape Guidelines 1991). At regional level it sits within the East of England Landscape Framework – Landscape Character Type 'Planned Peat Fen'. At a national level, it sits within National Character Area 46 The Fens.

7.16 The Cambridgeshire Landscape Guidelines 1991 summarise the key characteristics of the 'fenland' as follows: *"Fenland is a landscape of contrasts and variety. Superimposed upon the regimented and highly organised drainage patterns is a much more haphazard pattern of settlement and tree cover. It is a large open landscape and although appearing monotonous, it is in fact characterised by continuous change as the visual characteristics of one fen merge into the next. The open landscape provides distant views where the scattering of clumps and individual trees merge together to produce a feeling of a more densely tree-covered horizon."*

7.17 When considering site specific and cumulative impacts, the Environmental Statement and supporting Landscape Visual Impact Assessment (LVIA) have taken into consideration the following committed and operational developments:

- 22/01154/CCA – Land between North Angle Solar Farm and Swaffham Prior Energy Centre (Cambridge Brick and Tile); and
- EN010106 – Sunnica NSIP (cabling and substation)
- North / South Angle Farm (Soham);
- Bracks Farm / Meadow View Farm (Wicken);
- Chittering Farm (Stretham);
- Six Oaks (Bottisham);
- Breach Farm (Exning);
- Heath Road (Swaffham Prior); and
- Hightown Drove (EDF) (Burwell)

7.18 Except for the most immediate sites, the majority of the above sites are considered to result in negligible cumulative impacts. This is on the basis that the supporting LVIA considers views from receptors beyond 2km will be at such distances that the proposals would form only a very minor proportion of the wider view, meaning impacts are barely perceptible to the casual observer.

7.19 When considering the overall impacts of the proposed development, the Environmental Statement concludes the following: *"In summary, it is considered that the Application Site will, whilst wholly replacing portions of the landscape character at the Site level, sit within the existing retained landscape character at the local, regional and national level. Whilst some negative adverse landscape and visual effects will arise from the proposed development, landscape and visual effects are largely limited to the Application Site and local level receptors only, as identified in this Assessment. Where adverse impacts have been identified these have been mitigated through the proposed landscape strategy, which seeks to soften the edge of the development and set built form back from sensitive edges.*

Any anticipated effects are expected to reduce overtime as planting matures."

7.20 When taking into consideration embedded mitigation, the Environmental Statement ultimately concludes only residual Minor Adverse cumulative effects of the development proposals, and no significant environmental effects. This embedded mitigation includes the following:

- To provide a landscape context for the proposed development that is consistent, in scale with, and reinforces the landscape character of the locality and of the surrounding landscape context as set out within the local landscape management guidance;
- Set development to the south of the field parcel, away from the more sensitive northern boundary;
- Built form within the BESS compound is set behind new landscaped bunds;
- New native tree and hedgerow planting of appropriate species characteristic of the local landscape to provide screening to the main BESS compound;
- The sowing of species rich wildflower meadow to the areas surrounding the compound and the field parcel to the north of the Site to improve biodiversity;
- New wetland meadow planting surrounding the proposed waterbody.

7.21 It can therefore be concluded that at a localised level, the proposed development would result in moderate levels of harm into the short to medium term, reducing to low levels of harm as the planting and site establishes (Year 15+). With distance from the site, these impacts lessen considerably, and no significant effects on the environment are identified regarding landscape and character impacts individually or cumulatively. Some minor beneficial effects are also anticipated in the long term, with the introduction of new green and blue (water) infrastructure. Major beneficial long-term effects are anticipated in regard to the biodiversity net gain achieved on the site.

Reasoned Conclusion on the Significant Effects of the Development on the Environment

7.22 On the basis of the information provided and embedded mitigation, whilst local level harms are identified in the short to medium term, the Local Planning Authority is content that in the medium to long term, impacts of the proposed development upon the landscape, agricultural land and soils would not lead to significant adverse effects on the environment either individually or cumulatively, subject to the embedded mitigation identified. Long-term modest to significant benefits are however expected from the development, which is significant in EIA terms.

Description of measures to avoid, prevent, reduce or offset

In regard to landscape impact, it was considered that a condition was required in order to ensure suitable landscape measures were incorporated, as well as associated maintenance.

In addition a landscape and ecology management plan is required to ensure the long term maintenance of the landscaping as well as biodiversity improvements.

Conditions for soil protection, handling and drainage are also required, to protect soil quality.

Finally a condition is required to ensure that the site is suitably restored once the BESS no longer required and/or the consent has expired or the site remained non-operational for an extended period of time. At this stage this could be a return to farm land and/or biodiversity enhancement (subject to compliance with mandatory Biodiversity Net Gain)

The specific conditions are listed below:

4. This permission shall be for a limited period only, expiring 40 years and six months after the date of the facility hereby permitted being first being brought into operational use (taken as when the development hereby approved has started to store or distribute electricity to/from the Grid). Written notification of the date of the facility hereby permitted being first brought into operational use shall be provided to the LPA no later than 14 days after the event.

   Reason: To define the temporary permission, as the application has been assessed and determined on this basis, and in order to comply with the provision of Section 72 of the Town and Country Planning Act 1990.

5. No development, including vegetation/site clearance, shall commence on site until a detailed 'Landscape and Ecology Management & Monitoring Plan' (LEMMP) for all soft landscaping (including bunds and attenuation pond(s)) and habitat creation within the application site has been submitted to and approved in writing by the Local Planning Authority. This plan shall cover the operational lifetime of the development and include long term design objectives, management responsibilities, creation timescales and maintenance schedules for all landscaped areas of the development site. Thereafter, these areas shall be managed and maintained in full accordance with these agreed details unless first agreed in writing by the Local Planning Authority for the duration of the development's lifetime. The Plan shall include, as a minimum, the following:

   a) Details on the creation and management of all landscaping (including bunds and attenuation pond) and target habitats identified within the

Biodiversity Net Gain Assessment Report and Metric and approved landscape plan (Ref. UG_2272_LAN_GA_DRW_301 REV P15) for on-site net gain.
b) Survey and monitoring details for all target habitats identified within the Biodiversity Net Gain Assessment Report and Metric, including targeted review years.
c) Details of any corrective action that will be undertaken if habitat delivery fails to achieve the requirements set out in the approved Biodiversity Net Gain Report.
d) Details of and scheme of installation, inspection and maintenance of water vole/newt fencing for any attenuation pond(s) to be created as part of development.

Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 (as amended 2023), to secure the mitigation measures as set out within Chapters 6, 7 and 8 of the Environmental Statement, and in accordance with the Environment Act 2021 (Schedule 7A). This condition is pre-commencement as it relates directly to and informs the pre-commencement biodiversity condition set out under Schedule 7A of The Environment Act 2021.

6. No development including enabling works, demolition, site clearance and ground works shall commence on site, until a Construction Environmental and Traffic Management Plan (CETMP) to cover the construction phase of the hereby approved development. has been submitted to and approved in writing by the local planning authority. The CETMP shall include, but not be limited to, the following issues:

   a) Parking and turning areas for construction and delivery vehicles and site personnel,
   b) Site security and site compound for the construction phase,
   c) Loading, unloading and storage of plant and materials used in constructing the development,
   d) Temporary vehicle turning,
   e) Measures to prevent mud/debris being deposited onto the public highway,
   f) Construction lighting and measures to minimise light pollution,
   g) Construction traffic routing and means of access,
   h) any other controls to maintain highway safety during the construction phase,
   i) Mitigation measures for noise, dust and lighting during the construction phase,
   j) Soil management, soil protection and drainage measures (including subsurface).

The agreed CETMP must be adhered to at all times during all phases of the hereby approved development.

Reason: To safeguard the residential amenity of neighbouring occupiers in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and to secure the mitigation measures to protect soil quality as set out in Chapter 7 and 8 of the submitted Environmental Statement and in accordance with Policy ENV 6 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Renewable Energy SPD. The condition is pre-commencement as it requires the submission of details that are required prior to construction works starting on-site.

14. Prior to first operational use of the development hereby approved, all soft landscaping works (including bunds) shall be carried out in accordance with the approved scheme as shown on Drawing Ref. UG_2272_LAN_GA_DRW_301 REV P15. If during the lifetime of the development any tree or plant dies, are removed or become seriously damaged or diseased they shall be replaced in the next planting season with others of similar size and same species as that originally planted shall be planted at the same place, unless the Local Planning Authority gives it consent to any variation.

Reason: To safeguard the character and appearance of the area, safeguard and enhance biodiversity, and secure the mitigation measures set out within Chapter 6 and 8 of the submitted Environmental Statement, in accordance with Policies ENV 1, ENV2, ENV6, ENV 7 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and Natural Environment SPD.

22. Not less than 12 months before the expiry of this permission (as defined by Condition 4), or the planned cessation of the site's operational use as a battery energy storage system/facility, whichever is the sooner, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

    The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the expiry of this permission as defined by Condition 4 of this consent or within 6 months of the planned

cessation of the site's use, whichever is sooner. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

23. If following implementation of the permission the site fails to become operational within 24 months or having become operational becomes non-operational for a period exceeding 18 months within the time limit set by Condition 4, unless otherwise agreed in writing by the Local Planning Authority, the use shall be considered to have ceased. Within 3 months of such ceasing of the use, a decommissioning method statement (DMS) and Decommissioning Environmental and Traffic Management Plan (DETMP) shall be submitted to and approved in writing by the Local Planning Authority, detailing the removal of any building(s), plant/equipment and associated infrastructure approved under this consent, and restoration of the site and the timetable for doing so.

    The site shall be decommissioned in accordance with the approved DMS, timetable and DETMP within 6 months of the ceasing of the use as defined above. (Note: nothing in this condition supersedes the requirements of mandatory Biodiversity Net Gain).

    Reason: Because the consent is for a limited (temporary) period and to safeguard the character and appearance of the area, in accordance with Policies ENV 1, ENV2 and BUR 5 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

<u>Monitoring measures</u>

The process of monitoring the mitigation measures will be covered by planning conditions. The recommended conditions can be enforced (Breach of Condition Notice) if a developer fails to comply with them.

<u>Public participation process</u>

The application has been advertised in accordance with the Town and Country Planning (development Management Procedure) (England) Order 2015 (as amended).

Two site notices were displayed near the site (at the entrance to Newnham Drove and along Hythe Lane, Burwell) on 11th March 2024 and a press advert was published in the Cambridge Evening News on 28th February 2024, 18th July 2024

and most recently on the 26th September 2024. Nine neighbouring properties were also consulted.

The application and all supporting documents have also been available to view on the Council's Planning Portal for the duration of the application.

The Planning Committee process allows for the Parish Council and members of the general public to speak.