Agenda Item	A8
Application Number	21/00695/FUL
Proposal	Installation of a 99.9MW battery storage facility with ancillary development including 3m high fencing, battery storage containers, substation, transformers, switchroom, control room, welfare cabin and storage room, construction of internal access points, creation of hardstanding and turning area, erection of gates and 4m high CCTV columns, creation of temporary compound area, raising of land levels and construction of new access onto the A683 Bay Gateway
Application site	Land North of A683 Bay Gateway, Heaton With Oxcliffe
Applicant	Mr Mark Dickinson
Agent	Mr Evan Williams
Case Officer	Mr David Forshaw
Departure	Yes
Summary of Recommendation	Approve

1.0 Application Site and Setting

1.1 This is 1.7ha of agricultural land with access track with associated hardstanding. It is in the open countryside immediately north of the A683 Bay Gateway approximately 1.4km southeast of Heysham centre. To the north and east is agricultural land and to the west is the Walney Offshore Windfarm Extension facility. Within fields immediately close by to the north and northwest and across the A683 to the southeast and southwest are a telecommunications tower, solar farm, 3 no. wind turbines and electricity pylons.

1.2 The site is within Heysham Power Station 1 & 2 middle zone; Morecambe Bay SPA zone; SSSI impact zone and at risk of <25% risk of groundwater flooding. It is partly within flood zones 3 (benefitting from flood defences), 2 and 1.

2.0 Proposal

2.1 The proposal is to construct a fenced area of 12,540sqm to house battery storage containers, substation, transformers, switch room, control room, welfare cabin and store. A new access is proposed directly onto the A683 serving the facility's turning/parking area and adjoining agricultural land. Landscaping belts are proposed to the north and east and all existing boundary hedgerow and trees are to be retained.

2.2 The eastern part of the site will be raised by up to 1m above existing ground level due to the land's slope and raise that end above potential flood level. The tallest equipment will be the switchgear and transformers up to 7.1m high in the northwest corner of the site. The metering room will have a 5.3m to ridge pitched roof. The flat roofed containers housing the batteries, transformers, switch and control rooms will be 3.1m high. CCTV cameras will be mounted on 4m high poles and the site

fencing will be 3m high.

2.3 The facility will contribute towards helping the national grid provide a reliable source of power in the face of fluctuating and changing energy demand and supply. At times the grid struggles to provide an efficient, consistent supply of energy due to variations in demand and unreliability of renewable energy supplies. Energy storage facilities like this offer flexibility to absorb surplus energy and release when needed, including from renewable sources and without causing air pollution during this process.

3.0 Site History

3.1 There are no relevant applications relating to this site.

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
GMEU	**No objection.** There is the potential presence of Coastal and Floodplain Grazing Marsh priority habitat on the site, however the field results of the ecological survey suggest that the onsite conditions are not typical of the priority habitat; the site is under intensive management being ploughed and sown, is considered unsuitable to support breeding birds and sub-optimal for foraging and wintering birds associated with the designated sites, and the wintering bird surveys in 2021 did not identify such species. Given the low ecological value of the site, the enhancements proposed in the ecology report are probably proportionate to the proposed impact.
Natural England	**No objection.** The development will not have significant adverse impacts on the Bay's designated sites or SSSI and the shadow HRA can be adopted. A financial contribution should be made towards protection, enhancement or management of other areas to compensate for the loss of the Coastal and Floodplain Grazing Marsh.
Lancashire Wildlife Trust	**Objects.** Key concern is the potential loss or fragmentation of an ecological network that links areas of high conservation value through corridor and/or stepping stone habitat. In order to retain any viable ecological network within the wider Heysham peninsular, compensation habitat should be created outside of the area identified for development, to offset the loss of 'corridor' habitat. This should be in addition to any mitigation either on or off site and should be of adequate size to fulfil its desired function. A suitable restoration and management plan should also be in place with a clear strategy for how this will be delivered and maintained for at least the duration of the development.
Arboricultural Officer	**No objection.** Conditions for tree protection plan and planting requested
Environment Agency	**No objection.**
LLFA	**No objection** subject to standard conditions being imposed
Planning Policy	**No objection.** The proposed battery storage facility may support existing renewable energy generation facilities nearby, will potentially support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. The proposal will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralized renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure. The importance of tackling the climate change agenda must be recognised and the benefits of the battery storage scheme outweigh the loss of a small element of the nature improvement area.
County Highways	**No objection.** There will be a negligible impact on highway safety and capacity within the immediate vicinity of the site. Standard conditions required.
Office for Nuclear Regulation	**No objection.** Does not advise against this development as it does not present a significant external hazard to the safety of the nuclear site.
Lancashire County Council Emergency	**No objection:** all agencies can accommodate the proposals' changes within the Heysham Power Stations Off-Site Emergency Plan

Planning Team	
EHO	**No objection.** No significant environmental health implications
Parish Council	No comments received
Public Realm	No comments received
Ramblers	No comments received
LCC PROW	No comments received

4.2 No responses have been received from members of the public.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle
- Landscape/visual impact
- Ecology/Biodiversity
- Flood risk/drainage
- Highways/access
- Other matters

5.2 Principle (SPLA Policies SP8, EN3; DMDPD policies DM31, DM47 and DM53; NPPF sections 14 & 15)

5.2.1 The site is within the open countryside within which any proposals must have regard to all relevant policies in the Local Plan, particularly DMDPD rural area policies. Policy DM47 allows certain economic developments including renewable energy schemes in appropriate locations and in accordance with other Local Plan policies. Policy DM53 sets out the Council's commitment to supporting the transition to a lower carbon future and support for proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts on stated considerations are or will be made acceptable. The site is within an area identified as suitable for wind energy.

5.2.2 The proposed battery storage facility will be able to support existing renewable energy generation facilities nearby, will potentially support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. The proposal will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure. The proposed scheme supports the requirements of NPPF through meeting the economic objective by supporting the provision of infrastructure and the reliable electricity needs of current and future generations, the latter of which meets the social objectives, and the environmental objective, particularly that of "mitigating and adapting to climate change" through the supply of renewable energy storage. The purpose of the development is in line with Policy DM53.

5.2.3 In support of policy DM31: Air Quality Management and Pollution, the site will contribute to increased grid capacity and flexibility to support the district's transition to a higher proportion of renewable and low carbon energy sources and potentially support the reduction in combustion-based energy production over the lifetime of the site.

5.2.4 Subject to a detailed analysis of the impact on the DM53 considerations, particularly landscape character/visual amenity, biodiversity, flood risk and highway safety as set out in the rest of this report, the proposal can be considered acceptable in principle.

5.3 Landscape Impact/Visual Amenity (SPLA policy SP8, EN3; DMDPD Policies DM29, DM30, DM46, DM53; NPPF section 15)

5.3.1 The design of the facility is very utilitarian but this is inevitable given the use. Conditions are proposed to ensure the colour of the fencing and containers are sympathetic to the rural location to

minimise visual harm. However, in the context of the energy and other utilitarian infrastructure in the immediate locality the design will not be out of place, especially given the designation of the area as suitable for wind energy.

5.3.2 The submitted Landscape and Visual Impact Assessment (LVIA) has assessed the effect of change on both the landscape and on people's views. The site is not within a protected landscape. It is within the Morecambe Coast and Lune Estuary National landscape Character Area. At the County level it is within the Mossland Landscape Character Type and Heysham Moss and Heysham-Overton Landscape Character Areas. The descriptions of these LCAs recognise the energy industry infrastructure and nearby built and caravan developments as "obscuring the landscape pattern and eroding the rural nature of the landscape". The site is close to and seen in context with the nearby Walney Offshore Windfarm Extension substation, Heysham/National Grid Supply Point Substations, telecommunications tower, wind turbines and overhead power lines which have a significant influence over the local area and effect of change caused by this development.

5.3.3 The site's overall sensitivity to change is considered in the LVIA as medium. The only notable feature on site is the frontage vegetation to the A683 which is being retained apart from a 4m length to create the new access. The magnitude of change on the site is large but minor adverse with slight effect on the frontage vegetation. Assessment of the impact on the Landscape Character Areas suggests negligible to minor adverse magnitude with negligible to slight effect.

5.3.4 Key visual receptors from 14 viewpoints between under 500m to 3km away have been identified. These include representative views from closest residential properties (890m distance), road and PRoW users near the site (within 500m). For residential properties the likely immediate effects are up to minor adverse magnitude with up to slight level of effect but this reduces to negligible adverse effect at most after 15 years when the screen planting is established. Users of the PRoW network may experience up to minor adverse magnitude with moderate effect from one location on completion falling to slight effect after 15 years. Road users' experience will be up to negligible adverse magnitude with moderate effect immediately, falling to slight effect after 15 years.

5.3.5 In response to the LVIA's findings it is confirmed existing trees and hedgerows within the site will be retained, linear tree and shrub planting of locally native species will be provided around the boundaries to the north and west and the site will be seeded with species rich grassland. Therefore, the development is not considered to cause undue harm to the landscape or views from receptors in the local or wider area.

5.4 Ecology (SPLA Policy SP8; DMDPD Policy DM44, DM45 & DM53; NPPF section 15)

5.4.1 The site is part of a wider habitat of principal importance classified as floodplain grazing marsh under the Natural Environment and Rural Communities Act 2006 (NERC). At the time of the ecology survey the site had recently been ploughed and seeded suggesting the land is likely managed as an arable/silage rotation. The submitted ecological appraisal considers the site itself is not typical of the NERC classification due to its intensive agricultural use, lack of grazing and low value to birds and is of low biodiversity value. This view is agreed by GMEU who consider the proposed onsite retention of existing boundary vegetation, provision of new planting belts and seeding as a species rich grassland is proportional mitigation for its loss. Natural England's latest comments suggest loss of the principal habitat requires financial compensation to improve biodiversity offsite. The applicant is currently completing a Biodiversity Net Gain matrix to demonstrate a gain of more than 10% is achievable onsite through the identified mitigation. Natural England has verbally stated that if this is proven their comments can be amended in line with those of GMEU. Should a net gain not be achievable the recommendation may be altered to approve subject to a s106 requiring the financial compensation with the sum being derived from the BNG matrix calculation. A scheme on which to spend the compensation can then be agreed with Lancashire Wildlife Trust. Members will be updated verbally at the committee meeting.

5.4.2 A shadow habitat regulations assessment has been carried out by the applicant. Natural England agrees with the assessment that the development will not have significant adverse impacts on the Bay's designated sites or SSSI and the shadow HRA can be adopted by the Council as competent authority.

5.4.3 The ecological appraisal assessed the site and a nearby pond for evidence of protected species.

The site is of low value for foraging bats and negligible value for commuting bats. No potential roosts were identified. The managed vegetation offers low value to birds, although a condition is proposed to ensure no nesting birds are present if work is due to start during the summer months. No evidence of reptiles, water vole, otter or badger were found on or near the site. The nearby pond has a below average suitability for great crested newts.

5.4.3 Development will not give rise to potential harm to any statutory nature conservation designations or protected species. Either on site mitigation or offsite compensation will improve biodiversity. Therefore, the proposal is considered to comply with relevant policies in the local plan.

5.5 Flood Risk/Drainage (DMDPD Policies DM33, DM34 and DM35; NPPF Section 14)

5.5.1 The majority of the site lies within flood zone 3 (benefitting from flood defences). All surface water runoff will be stored on site and discharged either by infiltration into the ground or to nearby watercourses. A condition is proposed for the final design to be submitted and agreed.

5.5.2 The applicant has undertaken Sequential and Exception tests as required by the NPPF. Part of the site is flood zones 1 and 2 and there are no further appropriate locations within flood zones 1 or 2 suitable for the development. The proposal includes "essential infrastructure" industrial use so the Exception Test must be satisfied. The conclusion of this is the development provides wider sustainability benefits to the community that outweighs flood risk and it has been demonstrated the development will be safe for its lifetime being able to remain operative during a flood or remotely shut down if circumstances demand. The facility is unmanned and will only be visited for regular checks and maintenance.

5.5.3 The development will not give rise to flood events elsewhere and there is no onsite risk to personnel. The Environment Agency and LLFA have no objections to the proposal as submitted, subject to imposition of standard conditions.

5.6 Highways/Access (DMDPD Policy DM60)

5.6.1 A new access is proposed 250m east of the current field access. The existing access joins the A683 on a steep gradient and has limited visibility onto the main road. The proposed access will be 8m wide at the same level as the A683 and will replace the existing access for the use by the owner of adjoining land.

5.6.2 Accident data for the local area shows two serious accidents in the last 5 years, involving either a pedestrian or cyclist in dark and wet conditions on the 60mph road with no footpath or cycle lane. No pattern of accidents is shown with an underlying cause that would be affected by the proposal. All construction traffic will be routed along the A683 towards the M6 junction 34. Arriving traffic will pass the site and turn around the Imperial Road roundabout before turning left into the new access. Estimated trip generation during construction of 20 2-way movements of both HGVs and cars will add a negligible amount to existing flows. Once operating, maintenance visits of up to 2 per week will be made.

5.7 Other Matters

5.7.1 With regard to the remaining considerations listed in policy DM53, there are no heritage assets within close proximity of the site and nothing has been raised about the potential for any effects on defence navigation or communications. There are no residential properties close by which could be adversely affected by the development.

6.0 Conclusion and Planning Balance

6.1 The proposed battery storage facility should support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. It will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure.

6.2 The utilitarian appearance of the installation is a result of its function but will be seen in the context of more extensive and taller energy and other infrastructure in the immediate vicinity. Harm to the landscape and users of the nearby transport network will be moderate in the short to medium term reducing to negligible once the mitigation measures establish.

6.3 Any harm is outweighed by the environmental, economic, social and community benefits the development will realise. Accordingly, the proposal complies with policy DM53 and the local plan as a whole.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Standard
2	Approved Plans	Standard
3	Highway Works	Pre-commencement
4	Tree Protection Plan/AIA	Pre-commencement
5	Final Sustainable Drainage Scheme	Pre-commencement
6	CEMP	Pre-commencement
7	Access Hard Surfacing	Pre-access use
8	Visibility Splays	Pre-access use
9	Colour samples	Above Ground
10	Landscaping/biodiversity enhancement	Above ground
11	SuDS Operation/Maintenance Plan/Verification Report	Pre-Operation
12	Compound removed/land restored	6 months from construction ceasing
13	In accordance with CTMP	Control
14	In accordance with FRA	Control
15	Nesting Birds	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Background Papers