

DEVELOPMENT MANAGEMENT COMMITTEE – 11 FEBRUARY 2026

Application Number	3/25/0917/FUL
Proposal	Erection of Battery Energy Storage Facility including access works, landscaping and all associated engineering works
Location	Dellows, Ginns Road, Stocking Pelham, Hertfordshire, SG9 0JA
Parish	Stocking Pelham Parish Council
Ward	Little Hadham and the Pelhams

Date of Registration of Application	24/06/2025
Target Determination Date	
Reason for Committee Report	Major application
Case Officer	Steve Fraser-Lim

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report and completion of a Section 106 legal agreement.

1.0 Summary of Proposal and Main Issues

- 1.1 The development is located within an arable field, in open countryside, to the north of the village of Stocking Pelham, and around 200m to the north of Dellows (a dwellinghouse) and other houses fronting the north side of Ginns Road. The site is also located to the north of Stocking Pelham substation. The village of Stocking Pelham is located further to the west of the site.

- 1.2 The application proposals seek erection of a Battery Energy Storage System (BESS) and associated infrastructure including access, drainage, landscaping and other incidental works. Planning permission is sought for the proposed development for a temporary period, time-limited to 35 years. After this time, all development and infrastructure related to the BESS will be removed from the site. The development will provide battery energy storage and comprises of the following: Containerised BESS units (approx. 4.1m in height); Inverter units (approx. 2.6m in height); Switchgear building (approx. 4.5m in height); Auxiliary Transformer (approx. 1.8m in height); Welfare/monitoring/warehouse building (approx. 2.4m in height); DNO building (approx. 5m in height); DNO 132 kV substation (approx. 6.8m in height); Improved vehicular access off Ginns Road and internal roads; Perimeter palisade security fencing (approx. 2.4m in height); CCTV

columns/lighting (approx. 4.3m in height); Acoustic fencing (approx. 4.5m in height); water storage tank; and Landscaping which includes an Area of Biodiversity Net Gain.

- 1.3 Additional information has been submitted during the course of the application to respond to consultee comments including: additional information with regard to Battery Safety and compliance with relevant safety guidelines; inclusion of firefighting water tank; additional information with regard to drainage strategy; additional information with regard to landscape impacts as well as revised Landscape Masterplan and BNG Metric.
- 1.4 The main issues arising from the proposals are considered in section 4 of this report.

2.0 Site and Surroundings

- 2.1 The application site is approximately 4.1 ha in size. The site comprises an enclosed area of agricultural land to the rear of Dellow's (a residential dwelling located to the north-east of Stocking Pelham). The site is accessed from Ginns Road, the road between Stocking Pelham and Berden. An existing access road leads to a residential dwelling which will be modified and extended to lead to the agricultural parcel where it is proposed to locate the Battery Energy Storage Facility.
- 2.2 The site is enclosed by existing mature hedgerow to the north, east, south and west and is set back from Ginns Road. Beyond the site there is open countryside, predominantly agricultural parcels and limited residential dwellings and buildings. A public footpath runs along the west and northern boundary of the site.
- 2.3 The site is located within the countryside and falls within the rural area beyond the green belt within the East Herts District Plan 2018. The site lies within Flood Zone 1 ('low' probability of flooding). Part of the access route is identified as being at risk of surface water flooding (Low: 0.1% annual chance).
- 2.4 The surrounding area is predominantly characterised by agricultural land. Stocking Farmhouse (grade II listed) is located approximately 170m to the west of the proposed BESS compound. The nearest residential properties are located on the north side of Ginns Road, approximately 210m to the south of the BESS compound.
- 2.5 A number of plan and elevation drawings have been submitted, in conjunction with supporting documents. All these plans / elevation

drawings, and supplementary information are listed at the end of this report have been considered in the preparation of this report.

3.0 Planning History

3.1 The following planning history is relevant to and relates to the application site:

Application Number	Proposal	Decision	Date
3/24/0668/SCREEN	EIA Screening opinion in relation to the application proposals	No EIA required	February 2026

Emerging BESS Proposals within the Area

3.3 There are a number of current or determined planning applications for BESS or solar farms in proximity to the Stocking Pelham National Grid substation around 1km to the north of the site, within both East Herts and Uttlesford District Council Areas:

East Herts				
Address	Application Number	Proposal	Decision	Date
Greens Farm	3/21/0969/FUL	Construction of a 50MW battery energy storage system facility and associated access, landscaping and other infrastructure works.	Planning permission granted	July 2025
Dellows, Ginns Road, Stocking Pelham	3/25/0620/SCREEN	Screening Opinion for a solar array with associated battery storage	EIA not required	July 2025
Land Of Ginns Road, Pelhams	3/24/1953/FUL	Erection of a Battery Energy Storage System and associated infrastructure	Planning permission granted	April 2025

		including access, drainage, landscaping and other incidental works.		
Land adjacent to Crabbs Lane, Stocking Pelham	3/22/0806/FUL	Construction and operation of a Battery Energy Storage System and associated infrastructure	Planning permission refused.	June 2025
Uttlesford				
Land east of Pelham Substation, Maggots End	Land Near Pelham Substation Maggots End Road Manuden And Berden	Construction of a solar photovoltaic ("PV") farm with associated infrastructure	Planning permission refused	January 2026
Berden Hall Farm, Ginns Road, Berden	S62A/22/0006	Ground mounted solar farm with a generation capacity of up to 49.99MW together with associated infrastructure and landscaping.	Application granted by Secretary of State, following an earlier decision which was quashed following Judicial Review.	July 2024
Land east of Pelham Substation, Maggots End	s62A/2022/0011	Construction and operation of a solar farm comprising ground mounted solar voltaic (PV) arrays and battery storage together with associated development, including inverter cabins, DNO substation,	Application refused by the Secretary of Statement following its submission directly to the SoS.	May 2024

		customer switchgear, access, fencing, CCTV cameras and landscaping.		
Land of Pelham Road, Berden	UTT/22/1203/FUL	Construction and operation of a Battery Energy Storage System and associated infrastructure. Cross Boundary Application in conjunction with East Herts District Council (ref. 3/22/0806/FUL) - access only in Uttlesford District	Granted by Uttlesford DC	July 2024
Pelham Substation Park Green Lane Berden	UTT/16/2316/FUL	Development of a 49.99MW Battery Storage Facility connected to Pelham Substation. The development will support Enhanced Frequency Response (EFR) which is a new service required by National Grid to help it balance the frequency fluctuations on the grid system.	Granted by Uttlesford DC	October 2016

4.0 Main Policy Issues

4.1 The main issues of the application relate to the acceptability of the proposed development within the proposed location, landscape / visual impact, transport, noise and health safety considerations including the cumulative effect of energy-based infrastructure within the surrounding

area. The relevant policies in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), the adopted East Herts District Plan 2018 (DP), are referenced in the table below.

Main Issue	NPPF	East Herts District Plan
Principle of Development (renewable energy infrastructure)	Chapter 14, Clean Power Plan 2030, National Policy Statement for Energy EN-1	INT1, DPS4, GBR2, CC3, ED2
Landscape Visual Impact	Chapter 12, 15	DES2, DES3, DES4, DES5,
Heritage Assets	Chapter 16	HA1, HA3, HA4, HA7
Ecology and Biodiversity	Chapter 15	NE2, NE3, NE4
Pollution	Chapter 1, 15	EQ1, EQ2, EQ3, EQ4,
Transport	Chapter 9	TRA1, TRA2, CFLR3,
Health and safety	Chapter 8	DES5
Drainage	Chapter 14	WAT1, WAT2, WAT3, WAT5

- 4.2 A revised NPPF is currently out for consultation with the deadline for comments being 10 March 2026. The proposed draft NPPF includes a new chapter “Securing clean energy and water”, as well as recasting the policy within current NPPF paragraph 168 and 169 to go beyond the existing by indicating that substantial weight should be given to benefits for energy security, economic development and net zero, the additional benefits from re-powering, and the contribution that small-scale and community-led developments can make.
- 4.3 While this is noted for information, very limited weight is currently given to it considering its draft status.
- 4.4 Other relevant issues and relevant guidance are referred to in the ‘Consideration of Relevant Issues’ section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority. No objections subject to planning conditions regarding: existing access improved; removal of construction access; construction traffic management plan; visibility splays;
- 5.2 The proposed construction route along Ginns Road is to be used for around 10 months. Following some minor highway widening works at

various intervals, it will largely provide regular opportunities for an HGV and a car to pass by one another, and good forward visibility to constrained width sections. Articulated lorries must be strictly limited to 2 per day, and all HGV movements are to be outside peak times. Once completed, the operational vehicle movements of this development will be very low. Some key additional information is still needed, as outlined in the conditions at the start, but the Highway Authority is now satisfied that the broad principle of using this route is acceptable subject to a number of recommended conditions: Construction Traffic Management Plan (CTMP); delivery of measures identified within CTMP prior to construction; details of operational access; no HGV movements until works to private access road implemented; delivery of onsite vehicle access areas.

- 5.3 Essex County Council Highway Authority: No objection subject to conditions requiring construction traffic management plan and condition survey of the highway prior to commencement.
- 5.4 Lead Local Flood Authority (LLFA): No objection subject to the following conditions being attached to any consent: details of drainage infrastructure; repair of drainage ditch to the east; verification report; details of maintenance and management; no raising of floor levels.
- 5.5 HCC Fire and Rescue Service: sought confirmation that the access route to the development would meet requirements of Hertfordshire Fire and rescue vehicles. With adequate widths and turning circles.
- 5.6 HCC Ecology: No comments received.
- 5.7 Uttlesford District Council: Note that the application site also incorporates land within Uttlesford District Council area, which is subject to separate application to Uttlesford DC, and make no comment in relation to the EHDC application.
- 5.8 EHDC Conservation and Urban Design Advisor The heritage consideration is the impact on the setting of the Grade II listed building, Stockings Farmhouse, which is located to the west of the application site. The significance of the listed building lies in its history as a C17th farmhouse. It has both architectural interest related to this date, for example through the timber framing and decorative plaster, but also historic interest from both its early date and its historic farm use; as the heritage statement notes, the farmstead, including the listed building, has a long association with farming given its medieval origins. Land surrounding farm buildings makes an important contribution to the significance of these types of buildings, given the functional relationship

between the two. From historic mapping and the heritage statement submitted it appears that the development site was historically part of the farmland associated with the farmhouse. Whilst today this functional relationship has changed, the site still contributes to the wider setting of the listed building through the rural, verdant and open quality of the site which harks back to the agricultural origins of the site and the listed building, as well as the rural nature of the area.

- 5.9 It is considered that the proposed development would change this to a more industrial character and therefore this would impact on the significance of the heritage asset through a change in the character of the land, resulting in less than substantial harm to the heritage asset.
- 5.10 EHDC Environmental Health (Air Quality): Recommend a planning condition with regard to Nitrogen Dioxide.
- 5.11 EHDC Environmental Health (Land): Recommend condition requiring a remediation works if unexpected contamination is discovered.
- 5.12 EHDC Noise: Following discussion with the applicant regarding concerns in relation to low frequency and possible tonal noise, the applicant has proposed a potential condition to try and protect the existing noise climate. Subject to inclusion of a planning condition ensuring that there are no audible tones from the development between 20hz and 315hz at the nearest residential properties then there are no further objections.
- 5.13 EHDC Landscape officer: Landscape effects: Overall, the proposed development gives rise to some minor to moderate adverse residual landscape and visual effects. The proposal introduces a new industrial and utilitarian development within this otherwise cohesive rural landscape; however, it is relatively small scale (contained within a single field parcel), temporary (albeit long term), reversible, and includes some permanent enhancements (planting along the field boundaries).
- 5.14 With regards to cumulative effects, there would be moderate adverse effects on landscape character due to the introduction of several schemes within a relatively small area, weakening the strength of character. However, it is understood that this would need to be balanced against the wider environmental benefits of the scheme.
- 5.15 In terms of arboricultural works, the AIA proposes removal of trees within group 4 are proposed to facilitate the site entrance and partial removal of G8 on the western boundary to facilitate the development. Some pruning works are proposed, and no dig construction techniques for the site access as well as protection during construction works. The scope of

works to trees are considered to be acceptable provided that the protection works recommended in the AIA are implemented.

- 5.16 EHDC S106 monitoring officer: a financial contribution for monitoring of on-site BNG is required.
- 5.17 Active Travel England: no comment on the application.
- 5.18 UK Power Networks: No comment received.
- 5.19 (Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)
- 5.20 **All of the representations received from consultees have been considered in the preparation of this report.**
- 5.21 **Town/Parish Council / Local Group Representations**
- 5.22 Stocking Pelham Parish Council: Object to the proposals. The BESS would be 600 meters or less from 30 houses and cottages, with many much closer: 100 meters from the garden at Stocking Farm, and less than 150 meters from the main house; 170 meters from Dellow's; 250 meters from the cottages on Ginns Road; 380-600 meters from 25 further houses and cottages in Stocking Pelham and Dewes Green, with only an open field intervening.
- 5.23 Councils and fire services generally regard residential buildings within a few hundred metres of a BESS as concerning because: Visual and noise impacts are more pronounced: Fire risk becomes harder to manage without affecting nearby residents and evacuation planning becomes essential; Public opposition intensifies, especially in rural or semi-rural communities.
- 5.24 The applicant's heritage statement states that Grade II listed Stocking Farm is 170m from the planned BESS and that the effect on Stocking Farm "will be of negligible magnitude." Given the unacknowledged historic title to the land around the farm including the proposed development site itself, SPPC believes the effect on Stocking Farm as a listed building will be substantial. Most of the houses within a few hundred meters from the proposed site already suffer from the buzz from the existing 49MW Statera battery. The new BESS, twice the size of the existing Statera battery, would dominate the background noise from the North. There would be no escape from the low frequency noise in the gardens. SPCC has separately submitted a report produced by noise specialists RBA Acoustics. This has shown that at night time, the noise

exceeds thresholds at Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL). If a development exceeds these thresholds, it should be deemed unacceptable unless properly mitigated (Noise Policy Statement for England). While mitigation measures are proposed on one side of the development (which RBA Acoustics regards as likely to be ineffective), there are no mitigation measures on the other side of the development towards Dewes Green. The RBA Acoustics report concludes that the risk of the scheme causing undue disturbance residents in Stocking Pelham has not been appropriately avoided, mitigated or minimised, contrary to NPPF paragraphs 180(a) and (b).

- 5.25 The diagram in the Appendix 1 illustrates the full, disastrous cumulative impact of the many net zero developments proposed in Stocking Pelham. At the north end of the village, we already suffer from the substation and Statera BESS, and will shortly have to put up with the huge solar array stretching from the north end of the village to Berden (planning approved by PINS). The village is taking on an industrial flavour, at odds with both the national planning framework and East Herts local plan. This new BESS would tip us over the edge, removing any hope that this can remain a rural community with quiet walks and views.
- 5.26 The Applicant considered only 2 other developments for the purposes of considering cumulative effects. There are, in fact, SEVEN relevant developments that should be considered. The applicant understates the landscape and visual impacts of the proposed development. For example, in places the development will be 6 meters high and will be visible for miles, especially in winter, to both passersby and residents. SPPC commissioned a landscape and visual impact report from Harper Landscape Architecture LLP which is provided under separate cover. The report concludes: The two ZTVs (this LVIA and the LVA by Axis) show that the development would be experienced across a wide area of the local landscape, an area which is perceived by the local community to be of such a good quality that it merited being put forward for potential designation as an AONB.
- 5.27 The development would result in the loss of this good quality, rural, tranquil, remote and intact landscape to experience a dominant, industrial influence as a result of the proposed incongruous development that would include adverse lighting and noise Impacts/Effects also. This would be a Significant Adverse change to the Local Landscape Character Area (LLCA) and a judgement of, on the cusp of Significant and Not Significant Adverse Effect at the district scale Landscape Character. For an approximate length of 360m of the local sensitive

PRoWs, the near distance open views experienced by the Visual Receptors using these footpaths, would result in Significant Adverse Effects in the short to long term. Similarly views from private residential plots (including Listed Buildings and their settings) would result in Adverse Harm in the short to long term. Further there are seven proposed alternative energy projects proposed within 0.75km of the Site (as noted by Stocking Pelham Parish Council) that would cause Significant Adverse Cumulative Landscape Character and Visual Effects if one or all were to be constructed.

- 5.28 One of these seven, a BESS scheme half the size of and 300m south of Dellow, in a similar agricultural context was rejected owing to the harm it would cause to Landscape Character. For these reasons the development is in conflict with the Landscape Planning Policy (NPPF Dec 24, paragraphs: 8; 10; 11; 20; 99; 139; and 187, and the East Herts District Plan Policies: GBR2; DES2; DES3; DES4; CFLR3; and HA7). As such there are strong grounds, in terms of the Significant Adverse Effects to Landscape Character and Views, as a result of the proposed development, for the Application to be refused.
- 5.29 Approving a BESS near a listed farmhouse (Stocking Farm, less than 150 meters from the proposed site), would directly contravene Paragraph 102 of the National Planning Policy Framework (NPPF), which mandates that planning decisions must promote public safety and address both natural and man-made hazards. Industrial-scale batteries are inherently hazardous, with documented risks including fire, explosion, toxic gas release, and chemical spills.
- 5.30 Albury Parish Council: There are six other BESS or solar developments within the planning system within the surrounding area and the addition of a seventh would result in mass industrialisation of a rural area. The proposal would result in loss of biodiversity, loss of agricultural land, deliver noise, pollution and congestion on rural roads, resulting in harm to the amenity of the area. Whilst Albury Parish is shielded from HGV movements, it would still experience a large number of LGV movements to the detriment of the highway network. The proposals would also increase the risk of fires and terrorist attacks.
- 5.31 CPRE Hertfordshire: The proposal does not comply with any of the exceptions permitted by Policy GBR2. It would introduce development which is deeply injurious to the rural character of the area. The PDAS notes that “The Policy does not make specific reference to renewable energy related proposals and is therefore silent on proposals for BESS development”. This is entirely disingenuous as the Policy specifically identifies exceptions, and thus there is no logical basis or requirement for

identifying proposals which are not exceptions. The proposals would also conflict with NPPF paragraph 187 as it would harm the rural character of the area.

5.32 CPRE Hertfordshire is fully supportive of the Government's objectives towards the land covered by policy affecting the Rural Area should not be used for development which is highly damaging to the landscape and rural character, effectively industrialising the landscape in the area which is already hugely impacted by large-scale energy generation installations. Comments regarding noise pollution are also supported and is an issue for rural areas.

5.33 Hertfordshire is under unrelenting pressure for development and the value of the open countryside that remains increases for local communities and visitors, notwithstanding wider environmental benefits relating to the amelioration of the effects of climate change, maintenance and enhancement of biodiversity, and physical and mental health. The proliferation of ground mounted energy generation installations in this area continues to have a severe impact on small rural communities which are effectively surrounded by infrastructure.

5.34 Berden Parish Council: The site is close to 30 dwellings within Stocking Pelham Village and dwellings within Berden Village are only circa 350m from the site. Concerns highlighted within the Crabbs Lane BESS application (ref: 3/22/0806/FUL) with regard to pollution / fumes from a potential battery fire; harm from low frequency noise; harm to the rural landscape are also the same for this application. The existing Berden BESS results in noise pollution and promised landscape and acoustic mitigation has not been delivered.

5.35 The impact from the number of developments proposed in the vicinity of Stocking Pelham substation would be excessive in terms of noise pollution and landscape impacts. The proposed landscape mitigation would also disrupt the harmonious pattern of open fields in the surrounding area.

5.36 In terms of transport, the width of the proposed access would be visually harmful. There will be cumulative impacts from HGV movements if other solar or BESS developments are under construction at the same time. There would also conflict between construction vehicles and school pickup / drop off times which include larger school buses. There has been no consideration of alternative sites. Concern over the fire strategy with a reliance on fire hydrants, and proximity to residential dwellings. There will be a loss of high quality agricultural land.

5.37 Brent Pelham and Meesdon Parish Council: Cumulative impact of multiple developments in terms of landscape, views and rural character; impact on character of local footpaths; Noise impacts on nearby residents; proposals would result in harm to heritage assets due to its industrial character fencing and lighting; large scale batteries pose inherent risks of fire, release of poisonous gases. Other BESS developments have been refused on these grounds.

5.38 All of the representations received have been considered in the preparation of this report.

5.39 Summary of Other Representations

5.40 153 responses have been received with 152 objections, and 1 comment on the application. The issues raised are summarised below:

Objection

- Proposals will harm the rural character of the area, which is attractive and capable of designation as an AONB. This is worsened due to the number of proposed solar / BESS developments.
- Land should be retained as arable land for food production to address food insecurity.
- The roads around the area are already congested when tractors, lorries and school buses use them. Further use by HGVs during construction will cause further congestion and damage.
- Construction vehicles will cause pollution.
- Cumulative impact of construction will result in use of Ginns Road by construction vehicles for several years.
- Proposals will harm wildlife.
- Disagree with the conclusions of the application documents on transport impacts. They will be worse than envisaged.
- Construction work, in particular the number of vehicles will harm the amenity of the area.
- The proposed route for construction vehicles is unsuitable and unsafe, with insufficient passing spaces, and will result in harm to heritage buildings on route.
- Proposals should be located on a brownfield site or near to large roads or industrial areas.
- Lithium-ion batteries are a fire risk and could result in the release of toxic fumes.
- The proposed location is inappropriate as it is too near to residential properties.
- Stocking Pelham already hosts its fair share of clean energy developments, the Pelham substation, the existing Pelham BESS to the North of the village, and the planned solar array at the North end

of the parish. It's unfair to propose further clean energy development.

- The substation and pylons are an eyesore, and the proposals would further harm and industrialise the landscape.
- Landscaping and acoustic mitigation promised as part of previous BESS development at Pelham Substation has not materialised.
- The substation already emits a constant noise, harming the tranquillity of the area, which would be worsened by the proposals, particularly low frequency humming noise.
- Construction vehicles will result in conflict with schools in Berden and Manuden along the proposed route.
- Seek clarification that drainage of the site will not lead to inundation of nearby roads, drains and ditches.
- Risk of fire and explosion
- Harm to biodiversity
- Insufficient supply of water / water pressure for firefighting / lack of fire hydrants / lack of expertise in fighting battery fires
- Batteries will be sent to landfill at the end of their time limited life.
- Concern about cumulative impact of a number of battery and solar applications in the vicinity of Stocking Pelham
- Proposals will harm house prices in the area. No guarantee that mitigation measures such as acoustic barriers will be implemented
- 4.5m high barriers will be visible and harm the character of the area
- There is no acoustic mitigation to cumulative noise impacts to houses on south side of Ginns Road including from construction vehicles
- Overdevelopment/ industrialisation of the surrounding area
- Existing BESS has caused noise nuisance and this development is nearer
- Impact upon listed buildings in Stocking Pelham will be significant.
- Fire risk is not fully established and mitigation measures inadequate
- Independent appraisal by landscape consultants submitted which highlights inaccuracies in the applicants LVA, including; no published methodology; inadequate consideration of alternatives; no consideration of trenching for connection cables and easements; how loss of trees would affect views; the LVA underestimated visual effects in a number of views; cumulative assessment does not take account of all relevant developments; conclusions of the LVA are incorrect impact on landscape character area and cumulative impacts significantly adverse.
- There are several pinch points on construction vehicle route near Manuden where larger vehicles cannot pass each other
- Construction vehicles will damage buildings along the construction route some of which are historic listed buildings.

- Concentration of energy infrastructure is dangerous and creates a single point of failure
- Batteries and solar panels should be located on buildings and houses not agricultural land
- The existing substation and BESS creates a audible 'Pelham hum'. This and other BESS / Solar developments will only make this worse.

All of the above representations have been considered in the preparation of this officer report.

6.0 Consideration of Issues

6.1 S38(6) of the planning and compulsory purchase Act 2004 states that *"where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise".*

6.2 The planning issues identified in relation to the application are assessed further below, and areas of compliance with, as well as any potential conflicts with planning policy are identified. In addition, a full assessment of the planning balance of the application taking into account any policy conflicts weighed against any public benefits accruing from the application is provided towards the end of this report.

Principle of Development

6.3 The proposals comprise energy infrastructure development on private farmland. The development would be located outside of the nearest village settlements within the Rural Area Beyond the Green Belt within the East Herts District. There are a number of District plan Policies as well as National Planning Guidance relevant to the proposals.

6.4 Policy GBR2 of the District Plan is particularly relevant regarding the principle of development in the rural area beyond the Green Belt. It states that *"In order to maintain the Rural Area Beyond the Green Belt as a valued countryside resource, the following types of development will be permitted, provided that they are compatible with the character and appearance of the rural area: (a) buildings for agriculture and forestry; (b) facilities for outdoor sport, outdoor recreation, including equine development; (c) new employment generating uses where they are sustainably located; (d) the replacement, extension or alteration of a building; limited infilling or the partial or complete redevelopment of previously developed sites; (f) rural exception housing; (g)*

accommodation for Gypsies and Travellers and Travelling Showpeople; (h) development identified in an adopted Neighbourhood Plan".

6.5 East Herts District Plan Policy CC3 (renewable and low carbon energy) is also relevant to the consideration of the proposed application. It states that: *"The Council will permit new development of sources of renewable energy generation, including community led projects, subject to assessment of the impacts upon: (a) environmental and historic assets; (b) visual amenity and landscape character; (c) local transport networks; (d) the amenity of neighbouring residents and sensitive uses; (e) air quality and human health; and (f) the safe operation of aerodromes. II. In considering the impact of renewable technologies, the Council will attach particular importance to maintaining the special countryside character of the rural area, including the preservation of long-distance views from public rights of way".*

6.6 In December 2024 the government published the "Clean Power 2030 Action Plan". The action plan requires a transition to an electricity system with clean power sources producing at least as much power as Great Britain consumes in total, and; Clean sources produce at least 95% of Great Britain's generation. A significant increase in renewable energy generation is required, alongside an increase in battery storage from 4.5GW as existing to 23-27GW by 2030.

6.7 Paragraph 168 of the National Planning Policy Framework (NPPF) states that *"When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future".*

6.8 It is important to note that the national policy guidance (NPPF) was updated in December 2024 to elevate the overall significance given to the benefits associated with developments for renewable energy or associated with the provision of renewable energy infrastructure. This is a key factor in determining this particular planning application, alongside the District Plan policies outlined in this report.

6.9 The National Planning Practice Guidance (NPPG) section on Renewable and Low Carbon Energy must be considered alongside the above District Plan Policies and NPPF. The NPPG includes a sub-section on Battery Energy Storage Systems (BESS). It notes that: *"Electricity storage can enable us to use energy more flexibly and de-carbonise our energy*

system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity”.

- 6.10 The NPPG goes on to note that “*When planning applications for the development of battery energy storage systems of 1 MWh or over, and excluding where battery energy storage systems are associated with a residential dwelling, are submitted to a local planning authority, the local planning authority are encouraged to consult with their local fire and rescue service as part of the formal period of public consultation prior to deciding the planning application. This is to ensure that the fire and rescue service are given the opportunity to provide their views on the application to identify the potential mitigations which could be put in place in the event of an incident, and so these views can be taken into account when determining the application*”.
- 6.11 The above policies and guidance must be taken into account in order to consider whether these proposals are acceptable in planning terms.
- 6.12 BESS as a form of renewable energy infrastructure: Officers have considered the relevance of several recent Planning Inspectorate appeal decisions which consider the above policy guidance in relation to the issue of whether Battery Energy Storage Systems can be considered as a form of renewable or low carbon energy. This is relevant in regard to determining appropriateness in the green belt / rural areas. The following appeals have been considered: East Devon appeal ref: APP/U1105/W/23/3319803; Walsall appeal ref: APP/V4630/W/24/3347424; Chelmsford appeal ref: APP/W1525/W/22/33067.
- 6.13 Planning Inspectors in these appeals have previously noted that although a BESS would not generate renewable energy, it would nonetheless store power which will be generated increasingly from renewable sources. The Inspectors all concluded that these developments should be considered as a form of renewable / low carbon energy infrastructure. Officers have carefully considered whether this applies to the proposed application scheme in order to conclude if the development should be considered under the renewable energy policies and guidance set out in the NPPF and District Plan policy CC3.
- 6.14 For example, the Planning Inspector in the Walsall appeal (ref: APP/V4630/W/24/3347424) noted the following: “*National Policy Statement (NPS) EN-1 indicates that energy 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. Storage is needed to reduce the costs of the electricity system and to increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. Storage can provide various benefits, locally and nationally. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the National Electricity Transmission System Operator (NESO) and Distribution Network Operators (DNO) to help operate the system, reduce constraints on the networks and help to defer or avoid the need for costly network upgrades as demand increases.

- 6.15 *NESO is a publicly owned energy body responsible for energy planning in Great Britain. When NPS EN-1 was published in November 2023 it noted that there was around 4GW of operational electricity storage in Great Britain, of which some 1GW is battery storage. NESO recently published Clean Power 2030 Advice on achieving clean power by 2030. The “clean power pathway”, sees a 4-to-fivefold increase in demand flexibility with, amongst other things, an increase in grid connected battery storage from 5GW to over 22GW. NESO predicts that unprecedented volumes of clean energy infrastructure projects are needed to meet the Government’s energy ambitions. Whilst the NESO report is not government policy or has the same status as the Framework, it does provide supporting context for decision making.*
- 6.16 *Framework paragraph 161 indicates that the planning system should support the transition to a low carbon future and support, amongst other things renewable and low carbon energy and associated infrastructure. Given the context provided by NPS EN-1 and the NESO research, it is not a huge leap to conclude that a BESS project represents much needed associated infrastructure.*
- 6.17 *One of the constraints to the early development of renewable and low carbon energy and associated infrastructure is the ability to access the local grid. Connections are not available until the mid to late 2030s. This project has a grid connection offer of 2028. Thus, given the imperative of mitigating climate change and achieving net-zero, this project has the ability to make an early and material contribution to the clean power pathway required to achieve net zero”.*
- 6.18 The approaches taken by the above Inspectors are consistent across a number of appeal decisions. The Local Planning Authority has also agreed with this approach in approving BESS developments within the District. Officers therefore consider that the application proposals can be

considered as a form of renewable energy / low carbon infrastructure and District Plan policies CC3 and NPPF paragraph 168 are relevant to the proposals. As such, it is accepted that the contribution of the proposals towards decarbonisation of electricity supply and mitigating the impacts of climate change would represent a significant public benefit of the proposals, which need to be balanced against any harms arising from the proposals.

6.19 Appropriateness of BESS in a rural location: The principle of whether development of an additional BESS facility in this rural location is appropriate has been carefully considered by officers, noting there are other consented and proposed renewable energy developments in the area around Stocking Pelham. Consultees, stakeholders and local neighbours raise concerns in relation to the rural and less accessible character of the site and that the responses indicate preference that proposals should be located in brownfield, industrial areas, adjacent to a major roads or integrated within new housing development. However, Planning Inspectors have accepted that there is a locational requirement for grid scale BESS sites is proximity to a connection point to the national grid, which includes rural locations. If sites are too far from a connection point, then they will cease to become viable. It is therefore important to acknowledge BESS development can be suitable within rural locations subject to wider policy and environmental considerations being adhered to. This is consistent with Planning Appeal decisions.

6.20 The Inspectors Report from the Chelmsford appeal (ref: APP/W1525/W/22/3306710) stated the following: *The evidence indicates that the location of the proposed development has been derived following a site selection process based primarily on distance from the RS*. This process took account of the significant expense and viability of installing a cable connection to the grid network, thus placing a viable 'limit' of approximately 3km or so between the proposal and RS. The appeal site, at some 3.8km from RS, is close to the viable limit.*

6.21 **RS is a 'hub' supplying the electricity distribution network covering a large area of Southeast England and East Anglia and operated by UK Power Networks. The appellant's evidence indicates that it is locationally important due to its position on the boundary between two National Grid regions and in an area of the grid that receives a significant proportion of energy from solar and offshore wind generators, and I have no substantive basis to consider differently..."*

6.22 The application site is located outside of the village of Stocking Pelham, within private land in the open countryside. The applicants consider that this is a viable location for the proposals due to the opportunity of

connection to the Stocking Pelham substation, which is located in proximity to the south of the site. Stocking Pelham substation forms part of the National Grid North London Reinforcement Project which aims to upgrade power lines leading from Stocking Pelham in the north to Hackney substation in the south.

6.23 Renewable or electricity infrastructure is not explicitly referenced in policy GBR2 as being an appropriate form of development within the rural area beyond the greenbelt. However, the types of development in GBR2 are not exhaustive and are not a closed list. District Plan Policy CC3 is relevant as this policy permits new development of sources of renewable energy generation (in locations including within the Rural Area beyond the Green Belt), subject to assessment of the impacts set out in criteria (a) to (f). As such, subject to a consideration against the criteria set out in policy CC3, the principle of development is capable of according with the intent of Policy GBR2, which attaches particular importance to maintaining the special countryside character of the rural area, including the preservation of long-distance views from public rights of way.

6.24 It is also noted that electricity infrastructure such as the Stocking Pelham substation and adjacent existing battery storage facility (to the Pelham Substation) are features within the rural area. The development would therefore form part of this landscape context. The development would not be out of character with the area in this regard.

6.25 Given the above considerations officers consider that the application site in the rural area beyond the green belt could be an appropriate location in principle for the proposed development, in accordance with policy GBR2 and CC3, subject to further assessment impact of the proposals upon rural landscape character which are considered further in the following chapter. Officers have also given due consideration to the potential cumulative effects of the development, noting that there are other renewable energy developments in the surrounding area. This report considers the cumulative impact on noise, highways movements from construction, landscape character and visual interest. This is also a consistent approach which Planning Inspectors have acknowledged when considering other planning appeals for BESS developments in rural locations around substations in the UK, where there are other renewable energy developments in proximity to one another.

6.26 Loss of agricultural land: The site is currently in use for agricultural purposes and an application is accompanied by an agricultural land classification report, which categorises the 2.1ha of land as falling within category 3b ('moderate', not Best Most Versatile (BMV) agricultural

land). This differs from the Councils GIS categorisation as category 2 BMV agricultural land.

- 6.27 Nonetheless The use of the site as a BESS will result in a loss of around 2.1ha of agricultural land for food production. Although the loss of agricultural land would be considered to conflict with the aims of the broader planning policy objectives to safeguard agricultural land for food production and the rural economy, officers consider this needs to be weighed appropriately against the benefits to arise from the development.
- 6.28 Officers have also given due regard to the consideration of previous appeal decisions in relation to BESS applications in determining the level of adverse weight afforded in the balance. In particular, from a comprehensive review of planning appeals on the subject matter (for BESS development), it has been noted that loss of agricultural land is not considered to be 'significant' within the planning process if less than 20ha in size. In addition, in the case of some renewable energy development and associated development, loss of agricultural land will be for a temporary period of 35 years only, after which the site can return to agricultural use.
- 6.29 As such, officers consider that the loss of 2.1ha of Grade 3(b) agricultural land is an adverse material consideration, and this will weigh against the proposals within the overall planning balance. However, this harm is limited as it would be tempered by the size of the site, that it will be for a limited period only and that the land does not fall within a higher categorisation such that it cannot be considered to comprise BMV agricultural land.

Landscape Considerations

- 6.30 Policy DES2 states that "*I. Development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district's landscape. For major applications, or applications where there is a potential adverse impact on landscape character, a Landscape and Visual Impact Assessment and/or Landscape Sensitivity and Capacity Assessment should be provided to ensure that impacts, mitigation and enhancement opportunities are appropriately addressed; II. Appropriate mitigation measures will be taken into account when considering the effect of development on landscape character/landscaping; III. Where relevant, development proposals will have regard to the District Council's currently adopted Landscape Character Assessment Supplementary Planning Document*".

6.31 The application is accompanied by a Landscape Visual Appraisal (LVIA), which assesses the landscape impacts of the proposals. The appraisal has concluded that the level of longer-term residual landscape effects of the proposed development would be limited, particularly on the host character area: Anstey & Pelhams Plateau; and the directly adjacent Berden and Farnham Oak. A Minor Adverse level of effect has been identified on the host character area, Plateau Pastures at Year 0, as the proposed development would have some localised influence. However, the proposed development would be relatively small in scale (in respect of the whole character area) and the proposals would introduce landscape features such as tree planting, including some larger heavy standard Scots Pine and Holly trees which will support the integration of the proposed development into the surrounding landscape, such that at Year 10 the level of effect would reduce to Negligible. The range of landscape measures are considered to limit the visual impact of the development to a local level and minimise longer range impact, which in turn minimises the overall effect on landscape character.

6.32 A revised landscape Masterplan has been submitted which proposes alternative landscape improvements to the initial proposals which included a new east to west hedgerow running across the field. The revised proposals are more sympathetic in landscape design terms and recognise the existing landscape character of the area by emphasising the historic field pattern.

6.33 Officers have reviewed the submitted information and consider that the proposed development would result in the following landscape effects:

- Landscape Character Area = moderate-minor adverse;
- Site + Immediate Surroundings = moderate adverse;
- Individual Elements (i.e. existing trees and hedgerows) = minor adverse.

6.34 With regards to the site and its immediate surroundings previous concerns were raised by the landscape officer in relation to the negative impact upon the field pattern (due to the previously proposed enclosure of the BNG area with a new field boundary, creating a long and narrow strip enclosure. It was considered that this would have been at odds with the prevalent field pattern of relatively wider rectangular and square fields). This hedgerow has now been removed from the updated landscape masterplan.

6.35 The proposed development has been designed to minimise the localised significant adverse visual effects. The proposals are screened with new / reinforced landscape planting to all sides of the battery compound.

Planting typologies which have been amended to better reflect local landscape character of the field patterns and landscape boundaries.

6.36 Officers have given careful regard to the cumulative landscape impact of the proposals in conjunction with other consented and potential developments in the area. However, as the proposed development is relatively well screened and self-contained. Most views of the site will be from the adjacent footpath to the north, with limited intervisibility with the other potential nearby developments (notably the Berden Hall Farm solar farm on the south side of Ginns Road, see planning history section), the landscape impacts should only be considered moderate / minor at worst. (with an effective landscape mitigation scheme), Therefore, it is concluded in landscape terms, the cumulative impacts (to landscape character) are minor / moderate adverse, due to the relatively small size of the site relative to the landscape character area, its limited intervisibility with nearby solar farm development.

6.37 Comments are noted with regard to the absence of landscape mitigation at the constructed BESS, adjacent to the substation within Uttlesford DC. The reasons why such mitigation was not secured by Uttlesford DC are not known. However, officers consider that the proposed conditions are sufficiently robust to ensure that appropriate landscape mitigation can be secured. A further condition is proposed to secure details of the colours and finishes of the proposed units, so that an appropriate colour which minimises visual impact can be selected.

6.38 As such in overall terms, officers consider that there would be 'moderate' / 'minor' harm to landscape at year 1 reducing to 'minor' harm at year 15, as well as moderate adverse cumulative landscape impacts.

6.39 In conclusion, officers consider, there would be some conflict with policy DES2 and part (b) of policy CC3 as the built aspects of the development relating to the battery units and industrial equipment would not reflect the landscape character of the area. Notwithstanding this, the integration of landscape mitigation over time would minimise the impact on the wider area to ensure there would be no significant impact on longer range views which are a factor noting District Plan Policy GBR2, which attaches particular importance to maintaining the special countryside character of the rural area, including the preservation of long-distance views from public rights of way.

6.40 Notwithstanding this, the resulting minor/moderate harm to landscape character of the area and harmful impact on receptors at views from the adjacent PRoW amounts to a conflict with Policy DES2 and part (b) of

Policy CC3. This weighs against the proposals and is balanced against the public benefits of the proposals in later sections of this report.

Transport

- 6.41 District Plan Policy TRA2 states that “*development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment*”.
- 6.42 The Transport Statement submitted with the application outlines the potential transport impacts of the proposals during the construction and operational phases of the development. Further information has also been submitted in response to consultation comments from Hertfordshire County Council Highway Authority. A Construction Management Plan has also been submitted to provide further detail with regard to the routing and management of construction vehicles.
- 6.43 Construction access to the site from Ginns Road is proposed adjacent to Dellows and will become the operational access following construction of the development.
- 6.44 The construction period is envisaged to last approximately 9 months. During this period, it is anticipated that the development could generate 502 2-way vehicle movements (2.5 vehicle movements per day), with up to 5 Heavy Goods Vehicle (HGV) movements per day during certain periods of the construction programme.
- 6.45 Following the completion of the construction, vehicle movements will be restricted to a small number of maintenance vehicle trips. The Site will be unmanned and will only generate occasional Light Goods Vehicles (LGV) trips for maintenance purposes.
- 6.46 In terms of construction vehicle routing, it is proposed that both HGVs and LGVs will access and egress the site via the east / south through Berden and Manuden to the A120.
- 6.47 This construction vehicle route has been approved for use as part of previous applications, such as the existing BESS at Pelham Substation, consented BESS at land at Ginns Road, Greens Farm, and the Berdens Hall Farm solar farm, within Uttlesford (see history section). The CTMP has been reviewed by both Hertfordshire (HCC) and Essex County

Council highways (ECC) who raise no objection to the proposals, subject to planning conditions to ensure submission of a detailed Construction Traffic Management Plan.

- 6.48 As such both HCC and ECC highway Authority considers that the proposals will not result in a severe impact to the local highway network. The operational impacts of the Site will be negligible, therefore, will not have a severe impact on the operation of the local highway network.
- 6.49 Concerns are also noted regarding the cumulative impact of several BESS and solar farm developments (see planning history section) upon the highway network. It is not possible for the LPA to prevent the different projects from having an overlap in construction timetable.
- 6.50 However, it is likely that the different projects will be allocated different connection dates by National Grid. As such this would reduce the likelihood of construction of different sites at the same time. In addition, given the number of construction vehicle movements which are forecast the application along with other BESS developments, are not likely to result in undue impacts on the highway network. As such subject to the conditions proposed by the Highway Authority, officers consider that the proposals would accord with policy TRA2.

Above ground heritage assets

- 6.51 Conservation areas and listed buildings: Section 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 require that the Local Planning Authority have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated within policy HA1 which states that *“Development proposals should preserve and where appropriate enhance the historic environment of East Herts... less than substantial harm should be weighed against the public benefits of the proposal”*.
- 6.52 A Heritage Statement has been submitted with the application which identifies Stockings Farmhouse 170m to the west (listed at grade II) as the nearest heritage assets. The Statement considers that the BESS infrastructure is well screened by extensive trees and hedgerows, such that any impact on the setting of the listed building would be negligible.
- 6.53 The Council's conservation officer has stated that the significance of the listed building lies in its history as a C17th farmhouse. From historic mapping and the heritage statement submitted it appears that the development site was historically part of the farmland associated with the farmhouse. Whilst today this functional relationship has changed, the site

still contributes to the wider setting of the listed building through the rural, verdant and open quality of the site which harks back to the agricultural origins of the site and the listed building, as well as the rural nature of the area.

6.54 The change in character of the site as result of the proposals, through introduction of batteries, transformers, fencing and lighting would have an adverse impact upon the setting of the listed building, even if there is limited intervisibility between the farmhouse and nearby fields. As such the change to the setting of the listed building is considered to result in less than substantial harm to the heritage asset. The proposals are therefore considered to result in some conflict with policy HA1. This harm to heritage assets and conflict with policy HA1 will need to be considered alongside the public benefits of the proposals later on in this report.

Drainage / water management

6.55 Policies WAT3 and WAT5 require efficient sustainable water management and Sustainable Drainage Systems, which aim to collect and retain water within the site, reduce runoff to green field rates, maintain water quality, in a manner which supports ecology and biodiversity.

6.56 A Flood Risk Assessment and Drainage Strategy has been submitted with the application which states that the site is at low risk of surface water flooding. The sites underlying geology includes clay and as such a drainage system based on infiltration of surface water is not considered feasible. As such surface water runoff is proposed to be directed to into a drainage system comprising stone filled filter drains, and then into a landscaped attenuation basin within the site. The drainage basin will discharge to a watercourse located to the east of the site, which flows to the river Stout. The drainage system will discharge water at what is considered to be an appropriate greenfield runoff rate (maximum of 2.2L per second).

6.57 The proposed attenuation in the form of filter drains feeding an attenuation basin are considered to provide an acceptable level of pollution mitigation for low pollution hazard which would arise from the site (car parks and driveways). In the event of a fire, the system allows for fire fighting water to be retained within the attenuation basin and tested for contaminants. If contaminants are found water can be removed by tanker, or if uncontaminated, would be allowed to discharge in the normal manner.

6.58 The FRA and Drainage Strategy has been reviewed by the LLFA who initially raised concerns with regard to confirmation that no proposed flood infrastructure is in areas at risk of flooding, details of road construction and that the receiving watercourse can accommodate runoff.

6.59 The applicants submitted further information in relation to these points and the LLFA have confirmed that, subject to conditions requiring final details of the proposed drainage scheme, as well as ensuring the improvement of the eastern watercourse the proposed drainage strategy is acceptable. As such the proposals are considered to accord with polies WAT4 and WAT5 regarding sustainability and water management.

Trees, Ecology and Biodiversity

6.60 District Plan Policy NE2 states that *“All proposals should achieve a net gain in biodiversity where it is feasible and proportionate to do so, as measured by using and taking into account a locally approved Biodiversity Metric, and avoid harm to, or the loss of features that contribute to the local and wider ecological network”*.

6.61 Policy NE3 states that *“Development should always seek to enhance biodiversity and to create opportunities for wildlife...with evidence provided in the form of up-to-date ecological surveys”*. Part II-VIII of the policy also state that harm to trees and hedgerows will be resisted.

6.62 The application was submitted prior after the introduction of the Environment Act 2021 and its requirement that development deliver a minimum uplift in Biodiversity Net Gain (BNG) of at least 10%.

6.63 The applicants have submitted an Ecological Appraisal and protected species survey reports which considers impacts on protected species and biodiversity. The hedgerow boundaries of the site provide the most suitable habitat for protected species, namely nesting birds. The arable fields also have the potential to support ground nesting bird species, such as skylark, although none were observed during the survey. Mature trees within the hedgerows of the site have some potential to support roosting bats with features such as cracks, split limbs, woodpecker holes and hollows noted; a nearby pond outside of the site boundary has potential to support great crested newts. However, the site was assessed as having low suitability for protected species.

6.64 The proposed development proposes to retain existing hedgerows bounding the site as well as most existing trees. However, a group of trees is required to be removed to facilitate the site access to GInns

Road and a group of trees to the southern boundary of the battery compound area which is required to be removed to facilitate the development. The proposals incorporate new planting to reinforce site boundaries as well as an area of wildflower meadow to the south and coppice woodland to the south of the battery compound, along with a landscaped attenuation basin, which would replace the loss of cropland. As such the proposals are anticipated to result in a Biodiversity Net Gain of 20%.

6.65 The submitted reports have been reviewed by the council's landscape officer who considers that the proposed arboricultural works are acceptable. In addition, the proposed ecology enhancement works and incorporation of new habitats on site are capable of meeting the requirements of the Environment Act 2021 to deliver a minimum of 10% BNG, subject to conditions securing a Biodiversity Net Gain plan. A financial contribution is also required to secure on going monitoring of on -site habitat necessary to achieve the required level of BNG for 30 years. Subject to these measures the proposals are considered to accord with policies NE2 and NE3. In conclusion, the proposed uplift in BNG would comprise a public benefit which should be taken into account as part of the overall planning balance.

Amenity / pollution / public safety

6.66 Noise: District Plan Policy EQ2 states that *“Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health... Applications should be supported by a Noise Assessment in line with the Council’s Noise Assessment Planning Guidance Document”*.

6.67 The application is accompanied by a Noise Impact Assessment which states that a baseline noise survey has been undertaken over weekdays and weekend (13:00 Thursday 3rd April to 11:00 Tuesday 8th April 2025). Typical background noise levels were measured to be 37db during the day (07:00 to 23:00) and 21db at night time 23:00 to 07:00). Manufacturer's data for the proposed plant has been used to model the Site's noise emissions. 4.5 m high acoustic barriers are proposed on the western side of the battery units and the Noise Assessment models noise levels with and without this mitigation. Noise assessment guidelines (BS4142) recommend that noise levels at the nearest sensitive receptors should remain below background levels to ensure a low level of potential noise impact.

6.68 The assessment identified the nearest residential receptors which include Stockings Farmhouse 170m to the west, and dwellings on Ginns Road circa 210m to the south. The assessment concludes that with the proposed 4.5m fence mitigation, noise levels at the potentially affected receptors did not exceed background noise levels during the daytime (07:00-23:00). During the night time (23:00-07:00) there were some exceedances against the background levels (+4db at Stockings Farmhouse and +2db at Ginns Road houses). However, at this time gardens would be unlikely to be used, and partially open windows would provide -10db of attenuation, ensuring that the proposals would meet internal noise level criteria.

6.69 Environmental Health officers have reviewed the submitted information and requested further information to demonstrate that noise levels would not exceed background noise levels across of range of different frequencies, in order to assess potential impacts of low frequency noise, which have previously been a concern in the area.

6.70 A technical note and updated noise assessment has been submitted by the applicants which considers that noise levels from the plant at 100hz and 200hz (a low frequency noise level associated with electrical equipment) would be below the levels which would be audible in the nearest residential gardens to the site. Environmental Health Officers have confirmed that this information has addressed previous concerns, subject to a condition requiring that there are no audible tones between 20 Hz and 315 Hz in third octave bands at any existing residential dwelling.

6.71 Concerns from Parish Councils and third parties about cumulative impact from noise are also noted. Given that predicted noise levels at nearest residential properties are below daytime background noise levels they would be unlikely to increase background noise levels at daytime. And, other consented BESS developments are situated further to the south, with the application site the only BESS development situated on the north side of Stocking Pelham. As such the nearest dwellings to this site, would not be in proximity to other consented BESS developments. Given the above officers consider that the proposals accord with policy EQ2.

6.72 Ground contamination: A Ground contamination report has also been submitted which considers ground conditions at the site. The report considers that the proposed development will require minimal below ground works, with the exception of the creation of foundations for the BESS and associated infrastructure and excavation of the attenuation pond. Activities on-site and in the surrounding area are considered unlikely to have caused significant contamination that would pose risks to

the proposed development. No further investigation is recommended other than testing of trial pits for below ground pipework to confirm the absence of contamination.

6.73 As such the proposals are considered to be acceptable in terms of ground pollution, subject to a condition requiring that further investigation / remediation is required if unexpected contamination is discovered.

6.74 Public safety: A number of comments have been received highlighting concerns over the fire risk associated with BESS developments. The National Fire Chiefs Council (NFCC) Guidance on Grid Scale Battery Energy Storage Systems are relevant with regard to assessment of fire safety at the planning application stage. It should be noted that the NFCC produced updated draft guidance for consultation in August 2024, to take into account technological development of BESS, although a final version has not yet been issued. The NFCC guidance includes a number of best practice recommendations for developments to incorporate, including: Site security and CCTV; battery design to include battery management systems to monitor and prevent thermal runaway events; if an event occurs measures are incorporated to isolate and suppress fires, to prevent propagation to other battery units; Access to the site for fire fighting vehicles to accord with Building Regulations; At least 2 separate access points to account for wind conditions; hardstanding for fire vehicles; a perimeter road to allow access to all areas; a minimum of 6m spacing between units, unless suitable design features are incorporated to reduce the distance; sufficient water supply to deliver 1900litres per minute for 2 hours (228,000Litres).

6.75 In addition, the Department for Energy Security and Net Zero published guidance on Health and Safety in Grid Scale Electrical Energy Storage Systems in April 2024. This document includes many of the principles within the NFCC guidance.

6.76 The applicants have submitted an outline Risk Management Plan, which sets out the measures proposed to mitigate fire risk. This document includes an assessment against the NFCC guidance which concludes that the proposals are compliant as they include the measures identified, including: Separation distances of more than 25m to the nearest residential dwellings; battery management systems to monitor and identify malfunctions; separate access points into the battery compound either from the main entrance to the site to the south, or from north, east and west, via a perimeter access road; provision of 2x water tanks with storage for sufficient water to supply an equivalent of 1900Lper minute for 2 hours; Battery containers are spaced within clusters of two back-to-

back batteries with fire proof separation. Clusters are separated by a distance of 8m.

6.77 The Fire and Rescue Service has been consulted and initially raised queries with regard to compliance of the access road and perimeter track with building regulations for access by fire fighting vehicles. On submission of additional information to clarify these points the Fire and Rescue Service have no further comments on the application.

6.78 Given the above considerations officers consider that the proposals have made adequate provision to manage and mitigate fire risk in accordance with relevant guidance. A further planning condition is proposed to require that a final detailed Battery Safety Management Plan is submitted for approval as the proposals develop. The Fire and Rescue Service would be a consultee for any forthcoming discharge of condition submission. The above approach is consistent with the approach taken by the Planning Inspectorate to address fire safety with regard to other BESS developments.

Other matters

6.79 Several comments are noted highlighting the close relationship between solar panels and battery storage and objecting to the principle of solar panel development on agricultural land. It should be noted that whilst BESS developments are important in balancing the intermittent supply of renewable energy to the national grid, no solar panels are proposed as part of this application. The proposals are for battery storage and associated infrastructure / accesses only. As such objections to solar developments are not relevant to this application.

6.80 Comments are also noted with regard to the need for the proposals to consider alternative sites, and that batteries / solar panels should be incorporated upon new buildings in towns rather than on agricultural land. However as noted above the planning policy background sets out the need for developments of this type, with an emphasis on expanding provision. As such there is no policy basis either within the NPPF or district plan policies to require applications for renewable energy to provide an assessment of alternative sites.

6.81 Concerns are also noted regarding the impact of the development upon house prices. It should be noted that a loss of house or property value is not a material consideration as part of the assessment of planning applications.

Cumulative Impacts

6.82 It is noted that several BESS and Solar applications at sites in proximity to Stocking Pelham substation are at varying stages within the planning system and these listed within the planning history section above. This is because sub-stations such as Stocking Pelham is one of a limited number of Grid Supply Points (GSPs) within the national electricity grid where the transmission (national) power network steps down to the distribution (local) power network. These substations are often located close to high power demand such as on the edges of major cities. Grid scale Solar and BESS projects typically need to connect to the electricity grid at GSPs, resulting in the clustering of projects around substations such as Stocking Pelham.

6.83 The cumulative impact from the number of proposed developments can be relevant across of a range of planning considerations, including rural character / landscape impacts, noise, construction traffic impacts, and has been noted in public comments on the application. Where relevant assessment of cumulative impacts has been highlighted above. In addition, cumulative impacts have been taken into account as part of the overall planning balance below, particularly in relation to landscape impacts.

7.0 Planning Balance and Conclusion

7.1 The proposals will support the supply and balancing of low carbon and renewable energy to the national grid. This is strongly supported by governments clean power 2030 plan to decarbonise the national grid. As such the proposals would result in significant public benefits in terms of climate change mitigation. The proposals would also result in new tree and landscape planting, delivering a BNG of 20%. This BNG has been attributed limited positive weight as part of application decision making. The proposals would also result in limited positive economic benefits in terms of construction job generation.

7.2 Some harms have been identified as arising from the proposals which need to be balanced against the public benefits identified above. The proposals would result in moderate (at year 0) / minor (at year 15) harm to landscape character, noting the cumulative impact of other likely BESS / solar developments in the area. This level of harm is tempered due to the temporary nature of the installations and mitigation from proposed landscaping / planting, and that a restoration scheme to return the field to agricultural use would follow once the BESS has reached the end of its use. Notwithstanding this, the landscape impact results in a conflict with District Plan Policy DES2 which weighs against the

proposals. There would be limited harm from the temporary loss of agricultural land.

- 7.3 In addition, the proposals would result in less than substantial harm to the setting of grade II listed Stockings Farmhouse which amounts to a conflict with District Plan Policies HA1 and HA7. Considering the need to pay special regard to the special historic and architectural interest of listed buildings, this harm is attributed minor adverse weight within the overall planning balance. The proposals would also result in increased construction vehicle traffic, which notwithstanding compliance with policy TRA2 is attributed some limited harm in terms of the balance. There would also be some loss of agricultural land.
- 7.4 All other matters relating to flood risk, public safety and amenity are neutral or able to be mitigated through planning conditions.
- 7.5 Officers consider that the significant public benefits from the proposals outlined above would outweigh the identified harms which are generally of a more limited or minor extent. As such the grant of planning permission is recommended subject to the following planning conditions.
- 7.6 Overall, it is considered the proposed development would comply with the Development Plan as a whole, noting the proposed form of development is permitted under District Plan Policy CC3 (Renewable Energy Development), and, with appropriate mitigations in place, broad compliance with Policy GBR2 which covers development within the Rural Area Beyond the Green Belt would be achieved.
- 7.7 Officers consider that there would be moderate / minor harm in terms of landscape impact, particularly considering the cumulative impact of other developments. Therefore, there would be some conflict with policy DES2 and part (b) of policy CC3. In addition, the proposals would result in less than substantial harm to the setting of a listed building, resulting in some conflict with policy HA1 and HA7. However, this harm (along with the other harms identified in the report) is outweighed by the significant benefits of the proposals as set out in this report. Therefore, it is considered the proposed development would accord with the District Plan (as a whole).

RECOMMENDATION

Grant planning permission subject to completion of a S106 agreement with the following heads of terms, and the following planning conditions:

Section 106 agreement heads of terms

- BNG monitoring contribution (committee to be updated once amount is agreed)

Conditions

Time limit

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

In accordance with approved plans

2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

Temporary period only

3. Planning permission is granted for a temporary period only and shall cease to have effect 35 years following the date of first energisation. The date of first energisation shall be confirmed to the local planning authority within 14 working days of energisation.

Reason: To allow the site to return to its agricultural use, and to safeguard the rural area beyond the greenbelt in accordance with Policies GBR2 and DES2 of the District Plan (2018).

Removal if energy export ceases

4. In the event the development ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for the removal of the Battery Energy Storage Facility and any associated equipment, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The restoration scheme shall include details of the retention of any approved boundary treatment(s) and planting. The approved scheme of restoration shall then be fully implemented within 12 months of written approval being given, unless otherwise agreed in writing by the local planning authority.

Reason: To allow the site to return to its agricultural use, and to safeguard the rural area beyond the greenbelt in accordance with Policies GBR2 and DES2 of the District Plan (2018). .

Pre commencement

Construction Traffic Management Plan

5. prior to the commencement of the development, including any ground works or demolition, a detailed Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with both Highway Authorities, Hertfordshire County Council and Essex County Council. The detail within the CTMP shall include:
 - a) details of any other scheduled development and associated construction traffic in the area during the construction programme
 - b) details of the expected traffic levels during the construction period and operational periods of the Development, including numbers of expected HGVs, LGVs, minibuses, cars and their likely distribution across the construction phase of the development
 - c) detailed final proposed construction traffic routing plan for construction vehicles which where necessary. shall coordinate traffic with cumulative development identified.
 - d) full details of temporary traffic management/banksmen control/mitigation/delivery timing restrictions required in connection with the construction traffic routing and co-ordination between nearby planned development.
 - e) wheel and underbody cleaning facilities for vehicles Thereafter, the approved Construction Traffic Management Plan shall be fully adhered to.

Reason: in order to prevent undue impacts upon the highway network, in accordance with policy TRA2 of the East Herts District Plan 2018.

Condition survey

6. prior to the commencement of the development, an inspection of the route to be used by construction vehicles in connection with the development shall be carried out by the applicant, the scope and methodology of which shall be agreed in advance with the Highway Authorities – Hertfordshire County Council and Essex County Council – and include appropriate evidence. The route should then be inspected regularly during construction with any damage arising from construction traffic being dealt with expediently. On completion of the development any damage to the highway resulting from construction traffic movements generated by the application site shall be identified in a

remediation plan and should be repaired within 3 months of initial detection to an acceptable standard and at no cost to the Highway Authorities.

Reason: To ensure that the public highway is not damaged during construction in accordance with East Herts District plan policy TRA1.

Details of surface water drainage network

7. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment and Surface Water Drainage Strategy (373-006-RP01, April 2025), Hertfordshire Lead Local Flood Authority Objection Response (373-006-TN1, Revision 1), remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies WAT1 and WAT5 of East Herts District Council.

Repair of drainage pipe to the East

8. Prior to commencement of development, repairs (or replacement) of the existing drainage pipe to the east of the site should be carried out.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of East Herts District Council. Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: To prevent flooding and pollution offsite in accordance with the NPPF and policies WAT1 and WAT5 of the East Herts District Plan 2018.

Prior to commencement of use

Existing access improved

9. Prior to the first use hereby permitted the vehicular access improvements, as indicated on drawing number 2407084-04 REV B, shall be completed and thereafter retained in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). first use of the development, full details (to include detailed drawings) of the operational access off East End / the C107 shall be submitted to and approved in writing by the Local Planning Authority. The operational access as approved shall be in place before first use of the development.

Construction Access closed

10. Prior to the first operation of the development hereby permitted the construction vehicular access shall be reduced to the operation access as shown in drawing number 2407084-05 REV B

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Details of colour / finish of equipment

11. Before the installation of the battery storage units and associated equipment, details of the RAL colour of the exterior finish proposed shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: In order to safeguard the character and appearance of the surrounding area, in accordance with Policies DES2 and DES4 of the East Herts District Plan 2018

Details of security measures

12. Before the first use of the hereby approved development, details of security measures, shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other

in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: In order to ensure that security measures do not harm the character and appearance of the area, in accordance with Policies DES2, DES4 and DES5 of the East Herts District Plan 2018.

Battery Safety Management Plan

13. No use of the development shall take place until a final Battery Safety Management Plan has been submitted to and agreed in writing by the local planning authority. Before the date of first energisation set by condition 3, the measures contained within the Management Plan shall be implemented and thereafter retained for the lifetime of the development.

Reason: In order to safeguard the safety and amenity of the surrounding area, in accordance with policies DES4, DES5, EQ2, EQ3, and EQ4 of the East Herts District Plan 2018.

Maintenance and Management of SuDS

14. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include I. a timetable for its implementation. II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located. III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and policies WAT1 and WAT5 of the East Herts District Plan 2018.

Landscape Environmental Management Plan

15. The use shall not commence until a LEMP has been submitted to and approved in writing by the local planning authority to achieve a net gain in biodiversity and include the following:

- a) Description and evaluation of features to be managed
- b) Aims and objectives of the management
- c) Appropriate management options for achieving target condition for habitats as described in the approved metric
- d) Prescriptions for management actions, noting only definitive measures are acceptable
- e) Details of the body or organisation responsible for implementation of the plan
- f) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met
- g) Details of species and mixes selected to achieve target habitat conditions as identified in approved metric
- h) Location of bat and bird boxes/structures
- i) Compliance with the mitigation measures set out in the Ecological Assessment
- j) Contingency measures should the monitoring reveal that habitat condition targets are not being met

The plan shall be implemented as approved for the life of the development.

Reason: This Management Plan is required to secure the protection of and proper provision for protected species and habitats of ecological interest in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018 and to ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

SUDS verification report

16. Upon completion of the surface water drainage system, including any SuDS features; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details within the approved pursuant to above conditions. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and the development will remain safe for the lifetime of the development in accordance with NPPF and policies WAT1 and WAT5 of the East Herts District Plan 2018.

Acoustic Boundary Treatments

17. First use of the development shall not take place until a detailed specification of acoustic boundary treatment in general conformity with the Noise Impact Assessment has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to first use of the development and retained for the lifetime of the development.

Reason: In order to safeguard the amenity of the surrounding area, including residential occupiers in accordance with East Herts District Plan policy EQ2.

Internal site treatments

18. First use of the development shall not take place until details of all internal site treatments and site boundary treatments, including heights, positions and extent, materials and finishes of all walls, fences, gates or other means of enclosure have been submitted to and approved in writing by the local planning authority. These works shall be carried out in accordance with the approved details prior to first use of the development and the site boundary treatments shall thereafter be retained. All gates shall be designed and installed so they cannot open outwards onto a highway.

Reason: In order to safeguard the appearance and amenity of the surrounding area, in accordance with East Herts District Plan Policy DES3 and DES4.

Decommissioning Bond

19. Within 10 years of the date of first energisation of the development a bond shall be placed to fund decommissioning on the project as required by condition.

Reason: in order to safeguard the rural character of the site in accordance with Policies GBR2 and DES2 of the District Plan (2018).

Compliance conditions

Trees and Hedgerows retained.

20. All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and

immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

Permitted hours for building work.

21. In connection with all site preparation, demolition, construction and ancillary activities, working hours shall be restricted to 08:00 – 18:00 hours on Monday to Friday, 08:00 – 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

Notification to neighbours of building works

22. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints shall be properly addressed as quickly as possible.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

Dust Condition

23. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

Development in accordance with Acoustic Report

24. During operation, the Site must operate ensuring that there are no audible tones between 20 Hz and 315 Hz in third octave bands at any existing residential dwelling. Tones may be determined objectively through measurement at the residential dwelling, following guidance given in BS 4142 and relevant Standards. Where tones are found to be present, remedial action will be required to mitigate the particular tone. During all periods, the Site must operate within the operational noise levels as noted in the E3P Noise Impact Assessment Reference: 51-401-R1-3 with rating levels of no more than 37 dB LAeq,1hr during the day and 25 dB LAeq,15mins during the night, in accordance with BS 4142.

Reason: in order to safeguard the amenity of nearby residents and the surrounding area, in accordance with East Hertfordshire District Plan policy EQ2.

No ground raising

25. No ground raising shall occur within the Surface water Flow path as shown within the submitted Flood Risk Assessment and Surface Water Drainage Strategy {373-006-RP01, April 2025, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent flooding offsite in accordance with the NPPF.

Visibility splays

26. Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 2407084-05mREV B. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway along with the removal of any vegetation in the visibility splay.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Decommissioning

Scheme of restoration

27. Eighteen months before the end of the 35-year period taken from the first energisation date submitted under condition 3, a scheme of restoration shall be submitted to and approved in writing by the local planning authority including:

1. details of the retention of any approved boundary treatment(s) and planting, a restoration scheme to be used at the end of the operational lifespan of the development.
2. a written scheme of restoration for returning the site to a pasture field on cessation of energy storage at the site. The approved scheme of restoration shall be implemented and completed within 12 months of the end of the 40-year period taken from the date submitted under condition 3.

Reason: In order to safeguard the long-term appearance of the site and the surrounding area, in accordance with policies DES2 and DES4 of the East Herts District Plan.

Informatics

1. Other legislation
2. Public Rights of Way
3. Bats
4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
5. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

6. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
7. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated highway improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
8. AN 5) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

[pavements/business-and-developer-information/development-management/highways-development-management.aspx](http://www.essex.gov.uk/pavements/business-and-developer-information/development-management/highways-development-management.aspx)

9. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is East Hertfordshire County Council and the Local Council (if they have specific land drainage bylaws). It is advised to discuss proposals for any works at an early stage of proposals. In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide (hydrosolutions.co.uk)). Both FEH 2013 and 2022 are currently accepted. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.
10. To avoid killing or injuring of hedgehogs it is best practice for any longer, ruderal vegetation to be cleared by hand. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water.

Approved Plans:

Drawing Number	Title	Date
D1-01 REV1	Location Plan	23.06.25
D1-02 REV	Site layout	19.11.25
D1-08 REV1	Monitoring room, office, warehouse	23.06.25
1 REV1	Access track section	23.04.25
D1-03 REV2	Fire Strategy Plan	11.08.25
D1-04 REV1	132KV substation side view	23.04.25
D1-05 REV1	Elevation	23.06.25
D1-06 REV1	Auxiliary Transformer elevation	23.06.25
D1-07 REV1	DNO building 132KV	23.04.25
D1-09	Switchgear building	23.04.25
D1-10 REV1	BESS power station building	23.06.25
D1-11 REV1	Palisade Fence	24.06.25
D1-12	Acoustic Fence	24.06.25
D1-13 REV1	Storage container	23.06.25

D1-14 REV1	Lighting elevations	23.06.25
D1-15	3 D elevations	23.0525
Fig 4, REVD	Landscape Masterplan	
	Water tank elevation drawing	11.08.25
2407084-04 REV B	Construction Access Arrangement	October 2025
2407084-05 REV B	Operational Access Arrangement	October 2025
J250257-GCL-ZZ-ZZ-D-ARB-0101 REVP04	Tree Removal and Protection Plan	October 2025

Supporting / Background Documents

Supporting / Background Information	Date
Greenergy Technical Note regarding grid connections and substation overcrowding, including referenced appeal decision s	23.12.25
Landscape Technical Note by Axis	December 2025
Noise Technical Note by e3p	01.09.25
Highways Technical Note by Motion	01.10.25
Cultural Heritage Note by CFA Archaeology	September 2025
Noise Impact Assessment by e3p	December 2025
Agricultural land classification report by Oracle	November 2024
Air Quality Impact Assessment by Greenergy	May 2025
Arboricultural Impact Assessment by Ground Control Professional Services	2 nd April 2025
Updated AIA by Ground Control Professional Services	17.09.25
Biodiversity Net Gain Enhancement Scheme by Ellendale Environmental	16 th May 2025
BNG Metric	December 2025
Construction Traffic Management Plan by Motion	8 th May 2025
Transport Assessment by Motion	May 2025

Consultation Statement by EQ Communications	May 2025
Flood Risk and Drainage Strategy by Haydn Evans	April 2025
Heritage Statement by CFA Archaeology	April 2025
Land Contamination Assessment by Oracle	September 2024
Planning Design and Access Statement by Alder King	May 2025
Landscape Visual Appraisal by Axis	May 2025
Noise Impact Assessment by e3p	April 2025
Preliminary Ecological Appraisal by Ellendale Environmental	March 2025
Sustainability Checklist	
NFCC Checklist by Greenergy	15.08.25
Various Planning Inspectorate Appeal decisions if not referenced in above report: Inspectorate refs: 3368845; 3345744; 3367069; 3357286; 3364999	