

P23-1730

17 October 2023

Knowsley Metropolitan Borough Council
Planning Services
PO Box 26
Archway Road
Huyton
L36 9FB

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (AS AMENDED 2015): REGULATION 6 (1) REQUEST FOR A SCREENING OPINION IN RELATION TO A PROPOSED BATTERY ENERGY STORAGE SYSTEM ON LAND EAST OF PERIMETER ROAD, KIRBY, LIVERPOOL, L33 7UF

On behalf of Balance Power Projects Ltd ('The Applicant'), Pegasus Group duly requests Knowsley Metropolitan Borough Council's Environmental Impact Assessment (EIA) Screening Opinion for the construction and operation of a Battery Energy Storage Facility at Land East of Perimeter Road, Kirby, Liverpool, L33 7UF.

1. Background

This Screening Opinion request is made under Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The information contained within this letter is in accordance with Regulation 6 (2) which states that a request for a screening opinion shall be accompanied by:

- a) *a plan sufficient to identify the land;*
- b) *a description of the development, including in particular—*
 - i. *a description of the physical characteristics of the development and, where relevant, of demolition works;*
 - ii. *description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;*
- c) *a description of the aspects of the environment likely to be significantly affected by the development;*
- d) *to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from –*

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- i. the expected residues and emissions and the production of waste, where relevant; and*
- ii. the use of natural resources, in particular soil, land, water and biodiversity; and*
- e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.*

The remainder of this letter is split into the following sections:

- Section 2: The Development Site
- Section 3: The Development Proposal
- Section 4: EIA Assessment
- Section 5: Conclusions

This screening opinion request is also supported by a Site Location Plan and Phase 1 Site Investigation Report.

2. The Development Site

Centred at grid reference E: 344485, N:398392, the site is generally rectangular in shape and is comprised of two separate field parcels. The site measures approximately 6.8ha and extends direct east from the Capitol Trading Estate and Perimeter Road into further agricultural fields to the west, south and north.

The site is located within the jurisdiction of Knowsley Council, whose boundary terminates at Blindfoot Road, approximately 1.5km to the east at its closest point, where it meets the administrative area of St Helens Borough Council. The site is identified to fall within the 'Open Countryside' for development management purposes and also falls within the Green Belt.

The Environment Agency reports that a portion of the site was operated as a landfill between 1965 and 1975, which included the filling of household and industrial wastes. Further Knowsley Building Control reports that 185,000m³ of topsoil, subsoil and builders waste was deposited on part of the site as an unauthorised operation circa 1989–1992. This material was never removed from the site.

The site generally comprises rough open grass land with densely vegetated field boundaries around the north, south and eastern perimeter. The western edge of the site which runs parallel to Perimeter Road is lightly vegetated. Barbed wire fencing is also noted within the vegetation



along field boundaries. The east and south of the site are relatively flat however a large uneven mound is present in the central north of the site.

Access to the site is provided directly from Perimeter Road via a double vehicular access gate from which an existing access track extends eastwards through the site before terminating at the south eastern corner of the site. The immediate surroundings to the east, north and south are generally agricultural fields. To the west of the proposed site is a Trading Estate which is predominantly Class B1, B2 and B8 uses. The Trading Estate to the west of the proposed site and sprawling overhead power cables and pylons contribute towards a more urbanised character in this location. Other uses in the immediate surrounds of the site include:

- Storage yard approximately 317m to the north of the site.
- Several farmhouses and associated buildings located to the south and the east of the site.
- Kirkby Substation located 888m to the south of the site.

Residential Receptors

In terms of residential receptors, the nearest residential receptors to the site include a small cluster of residential properties at Sandy Brow c. 265m to the south of the site. None of these properties are located within primarily residential areas according to Knowsley Council. These properties include:

- Top House Farm, approximately 310m to the north
- New Cut Farm, circa 670m south-east
- Sandy Brow 265m south

The closest residential settlements, as defined by the Local Plan Policy Map, to the site include a cluster of homes at Spinney Road, which is located 781m to the southwest of the site. The residential cluster of Southdene in Kirkby is located 1.7km from the site. There are no defined residential areas within 750m from the site.

Green Belt

As noted above, the site is located within the Knowsley Estate Green Belt. However, it is noted that the upcoming application would provide robust justification with regard to the locational requirements of the scheme and how very special circumstances exist to justify the development within a Green Belt location.

Public Rights of Way

There are a number of adopted Public Rights of Way (PRoW) that extend throughout the local area between Molly's Lane to the south of the site, Boundary Lane to the north and Perimeter Road to the west. As identified in figure 1, PRoW KB/19/1 shares the proposed access gate to the site and travels along the northern boundary. Bridleway KB/18/3 adjoins the eastern boundary of the site and travels from north to south.

The proposed development will be sensitively designed to ensure that all existing PRoWs will be retained and will remain open during the proposed development. A sensitive landscape strategy will be prepared in support of any future planning application to seek to mitigate any potential harmful impacts to the amenity of users of the existing PRoWs.

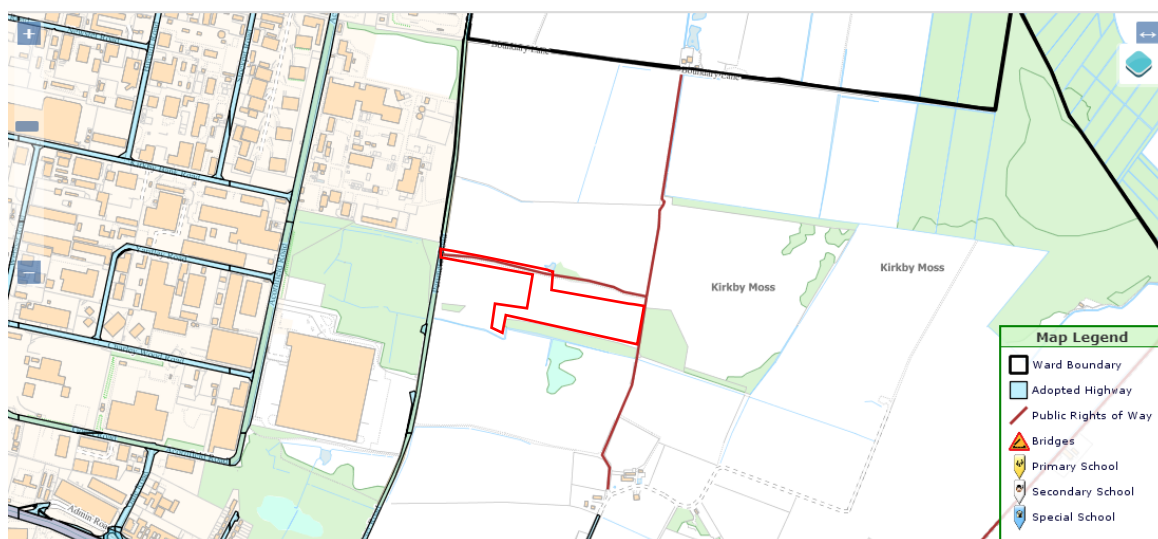


Figure 1 – Map of Public Rights of Way

Hydrology

According to the Environment Agency (EA) the Flood Risk Map for Planning the site is located in Flood Zone 1, at low risk of fluvial flooding, and any development is therefore appropriate in terms of flood risk. There are no Flood Zones 2/3 located in the vicinity of the proposed site. An extract of the Flood Risk Map is provided below in figure 2.

In terms of surface water flooding, the EA flood map shows the site is at very low risk of flooding in the low risk (1 in 1000-year event). There are small areas that are at medium risk/high risk adjoining the site, however, none are located on the land. An extract of the Surface Water flooding map is provided below in figure 3.

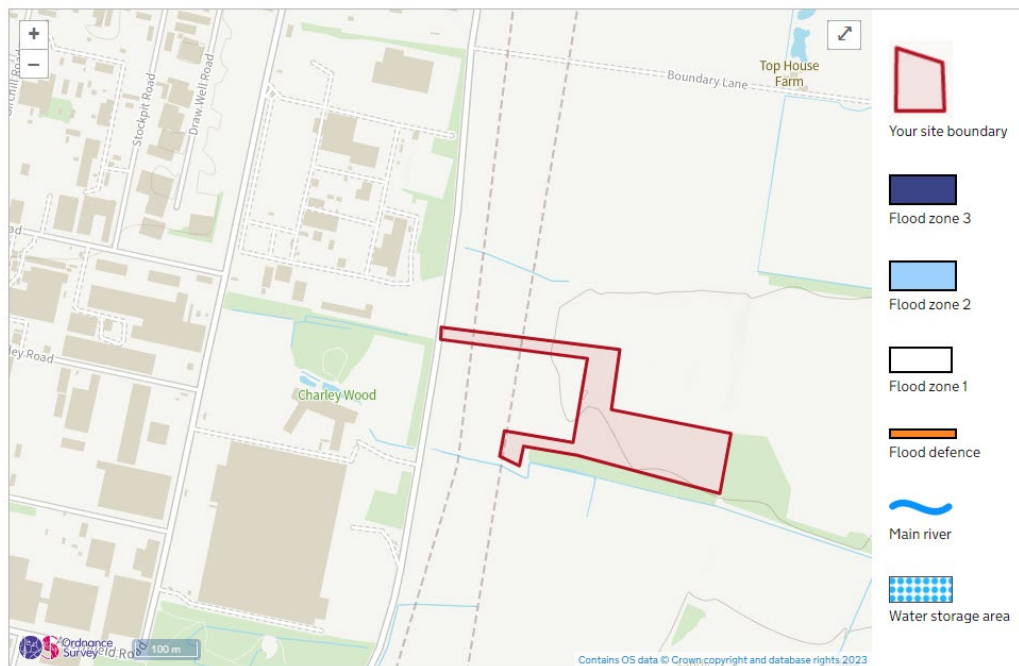


Figure 2 – Flood Risk Map

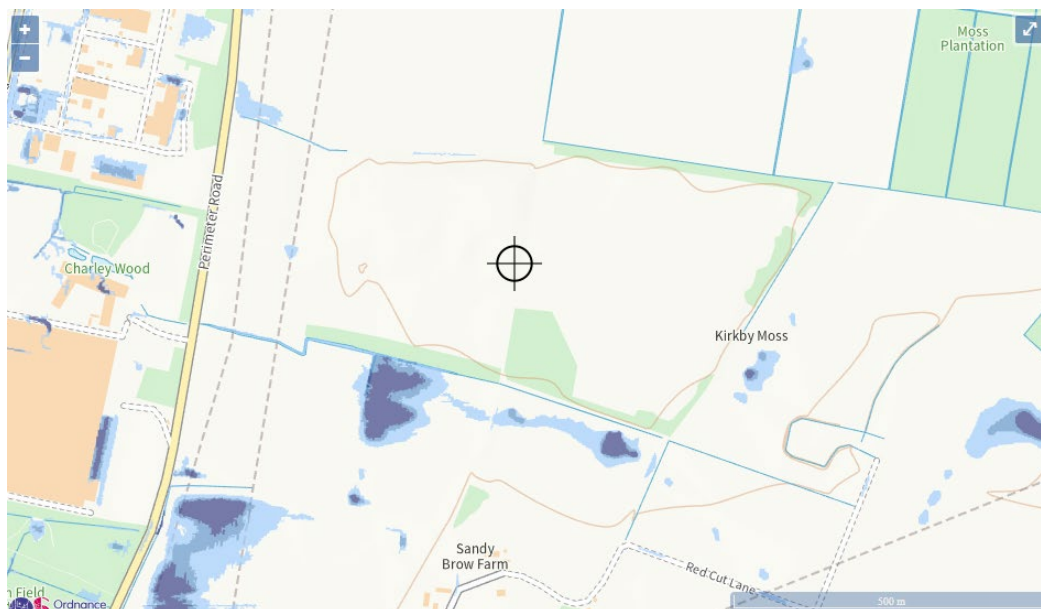


Figure 3 – Flood Risk from Surface Water



Environmental Designations

There are no statutory environmental designations located onsite, and the closest statutory environmental designation to the site comprises Acornfield Plantation Local Nature Reserve situated 350m to the southwest. A large commercial building and Perimeter Road separates the site from the Local Nature Reserve. The Site is not situated within an Area of Outstanding Natural Beauty, National Nature Reserve, National Park, Ramsar Site, a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) or Special Protection Area (SPA).

Apart from the Local Nature reserve the nearest statutory environmental designation is Stanley Bank Meadow SSSI which is located 8.1km to the east of the site.

The Site's distance from these designations, coupled with intervening land uses, determines that the proposed development would not impact any statutory sites.

In addition to the above statutory designated sites, there are a number of locally designated environmental sites that lie in close proximity to the site, including:

- Knowsley Local Wildlife Site – Located 1.1km to the south of the site.
- Mosslands, west of Johnson's Cottage, Kirkby Local Wildlife Site – Located 430m to the southwest of the site.
- Moss Plantation and Brown Birches Local Wildlife Site – Located 91m to the northeast of the site.
- Charley Wood Local Wildlife Site – Located the other side of Perimeter Road

Heritage Assets

The site is not located in any heritage conservation area, nor is it within proximity of any heritage conservation areas. There are no designated heritage assets within the site itself and the closest of these is located c. 1.6km to the northwest of the site and comprises of Grade II Listed buildings. There are no further listed buildings located within 1km of the site.

The statutory designated historic sites within 2km are listed in the table below:

Name	Designation	Distance from Site
Mossborough Hall	Grade II Listed Building	1600m
Cow Houses to North West of Mossborough Hall	Grade II Listed Building	1600m



Building to North West of Cowhouses at Mossborough Hall	Grade II Listed Building	1600m
Smithy to West of Barn at Mossborough Hall	Grade II Listed Building	1600m
Mossborough Hall moated site	Scheduled Monument	1600m

In terms of Scheduled Monuments, there is a historic recorded moated site, the Mossborough Hall moated site, which is located 1.5km to the east of the site.

Within 2km of the site is the Grade II listed Park and Garden of Knowsley Park. The site and the Grade II listed Park and Garden are separated by agricultural fields and the A580.

Overall, given the significant distance and intervening development located between the site and the nearest designated heritage assets, the proposed development is not expected to result in any significant impacts to any statutory heritage assets.

Agriculture

The Natural England Provisional Agricultural Land Classification Map highlights that the site is provisionally categorised as Grade 1 (Excellent Quality) agricultural land, and subsequently may be characterised as Best and Most Versatile (BMV) Agricultural Land. As the Site is located on a former landfill site, it is therefore considered highly unlikely that the site could be characterised as BMV agricultural land, and subsequently no detailed agricultural land classification assessment is deemed necessary.

3. Development Proposal

The proposal is for the construction and operation of a Battery Energy Storage System (BESS) and associated development, laid out in a single compound on the southern boundary of the site.

The development will connect into the Kirkby 132kV Substation located c.900m to the south of the site via an underground cable that will likely follow the route of the local highway along Perimeter Road. The final route of the connection is yet to be determined but would be provided as part of any subsequent full planning application. The landholding is subject to only overhead power lines with no underground utilities surveyed.

The proposed development will comprise an energy storage and substation compound which will be laid out in a single rectangular compound along the southern boundary of the site. The



majority of the compound will comprise battery enclosure units, inverter and transformer units, storage room, security fence, CCTV, permeable hardstanding, and access track. The western extent of the compound will comprise a 132kV substation area, DNO room, control and welfare room, transformer, private substation, access track and security fencing.

CCTV cameras would be positioned around the inner edge of the fenced compound, and these would be pointed inwards for security purposes. Additionally, any lighting installed on site would comprise downward facing, motion activated security lighting to limit potential impacts on local habitats.

The foundation design for the proposed equipment will be subject to detailed design following a full ground conditions investigation to respond to the extant ground conditions and any potential environmental risks presented by the Site's former landfill use. A Pre-application Advice Request has been submitted to the Council in parallel to this EIA Screening Request. The pre-application advice request is supported by a Phase 1 Site Investigation Scheme Report (supporting document) which sets out the proposed scope of works for a full detailed assessment of the site conditions. The Council's advice on the proposed scope of works is requested as part of the parallel pre-application advice request. The purpose of the detailed site investigation is to allow the applicant to collect site-specific data to aid the contamination risk assessment associated with the reuse of the former landfill site and allow assessment of geotechnical aspects of the development site to inform the detailed drainage, earthworks and foundation design of the development in addition to any required remediation.

The compound would be directly accessed from Perimeter Road via the existing access track that extends through the site from west to east and is currently used as a Public Right of Way. From the existing access, a new 4m wide access will extend southwards into to the north western corner of the proposed compound to provide vehicular access for both construction and operative vehicles.

Point of Connection

As set out above, the proposed development will connect directly into the SP Manweb network via the 132kV Grid Supply Point (GSP) Kirkby substation, situated c.900m to the south of the site. Whilst the proposed route of connection is unknown at this stage, it is likely the at connection will comprise the laying of an underground cable to follow the route of the local highway between the site and the substation.

A battery storage facility requires both an import and export connection readily available to operate effectively on the grid network, which in this instance is Kirkby GSP Substation.

Being able to absorb and release energy during periods of low demand, the proposed battery storage facility, can be used to contribute towards the frequency balancing services of the local distribution network, where the power is being generated or absorbed statically or dynamically depending on the system frequency.



The location is also close to several areas of high energy demand within Kirkby, including significant industrial uses associated with the adjacent Kirkby industrial estate, which relates well with the intention of a decentralised energy network where power is produced and stored close to where it will be used.

A substation with suitable capacity, which in this instance was Kirkby GSP Substation, was a key material consideration over a site selection process which is foremost grid-led.

Public Access

The proposed development will not be accessible to the public and security measures provided will act as a deterrent to prevent unlawful access.

All existing PRoW within and surrounding the site will be retained and will remain unaffected during the course of the construction and operational stages of the development. Any future planning application will be supported by a detailed Construction Traffic Management Plan (CTMP) which will detail the management measures and prescriptions to be put in place during construction to ensure that the safety of PRoW users is maintained during construction.

4. EIA Requirements

For the purpose of this Screening Request, we have considered the EIA Regulations.

The EIA Regulations, in conjunction with Planning Practice Guidance [‘PPG’] on Environmental Impact Assessment (originally published March 2014 and last updated on 13 May 2020), set out the legal framework in relation to Environmental Impact Assessment. The EIA Regulations contain two development schedules (Schedule 1 development and Schedule 2 development). Schedule 1 contains a list of development where EIA is mandatory.

The screening proposal does not fall within Schedule 1 Development.

Schedule 2 contains a list of development, coupled with development thresholds, where EIA may be considered. The Local Planning Authority must screen every planning application falling under the Schedule 2 development thresholds to determine whether or not EIA is required. When a local planning authority has to decide whether a Schedule 2 development is EIA development, Schedule 4 sets out how the LPA must take into account the information provided by the Applicant; the results of any EU environmental assessments which are reasonably available; and, the selection criteria set out in Schedule 3 as are relevant to the development.

Schedule 2 contains a list of development descriptions (categories) and applicable thresholds and criteria for the purpose of classifying development as Schedule 2 development. The development description pertinent to this development proposal is ‘Energy Industry’.

Type	Development Description	Applicable Threshold and Criteria
3. Energy Industry	(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1).	The area of development exceeds 0.5 hectares.

Given the final site area exceeds the applicable thresholds, it is appropriate to screen the proposal with the Local Planning Authority to clarify if there are potential significant effects likely to arise from the proposal which constitute EIA Development. The associated Planning Practice Guidance identifies that ***'only a very small proportion of Schedule 2 development will require an assessment'***. In addition, the planning practice guidance provides 'key issues to consider' when screening proposed energy developments. Whilst there is no specific guidance for battery storage installations, the key issues to consider for industrial energy installations are listed as (i) level of emissions to air; (ii) arrangements for the transport of fuel and any visual impact. For the proposed battery scheme there would be no transportation requirements for fuel. Furthermore, The Government, through its publication 'Proposals regarding the planning system for electrical storage' also acknowledge that battery storage has relatively low planning impacts when compared to other forms of generation and 'it therefore tends not to have significant local impacts that would make it difficult for local authorities to balance against national benefits'.

Regulation 6(4) of the Act sets out how a screening request, where relevant, must take into account the criteria set out in Schedule 3 which consider the characteristics of development, the location of the development and the types and characteristics of the potential impacts. The relevant issues are considered below.

Physical Scale and Appearance of Development

The design and siting of the scheme will be carefully considered to minimise potential environmental impacts. While the containerised batteries and other supporting units do have an industrial appearance, all of the units are low level, can be painted a sympathetic colour and the whole site can be contained within the existing landscape.

The site is located on the periphery of the Green Belt but does adjoin an industrial park which would result in the proposal not looking out of place in terms of scale or appearance. Also, the site is crossed by two existing overhead power lines which does detract from the openness of the Green Belt.

A detailed Landscape and Visual Impact Assessment will be prepared which will analyse the landscape susceptibility to the type of the development proposed, i.e., battery storage infrastructure. It will comment on the landscape value and arrive at the overall landscape sensitivity of the host landscape.



Traffic and Transport

The compound would be directly accessed from Perimeter Road via the existing access track that extends through the site from west to east and is currently used as a Public Right of Way. From the existing access, a new 4m wide access will extend southwards into to the north western corner of the proposed compound to provide vehicular access for both construction and operative vehicles.

During construction / installation of the battery storage facility, the proposals would generate an insignificant number of traffic movements along the local highway. If the development is built out through a continuous single phase, it is anticipated the construction period will last approximately 12 months, with construction materials delivered to the site at an average rate of around three to five lorry loads per day. Overall, it is expected that on average 5–10 construction vehicles will access the site daily, however, this will be assessed and confirmed as part of any forthcoming full planning application.

During the operational phase, the activities on site would amount to the maintenance and servicing of plant and equipment, and any vegetation management. It is anticipated that under normal circumstances, no more than one vehicles would need to access the site per week, and most visits to the site would be undertaken by an operative in a van/4x4, except in rare instances where repairs or replacements are required.

Any future planning application will be accompanied by a Construction Traffic Management Plan, developed in correspondence with the Councils Highways Team, to ensure that construction traffic has a negligible impact on the local highway.

Use of Natural Resources

The nature of the Development is to provide much needed zero carbon, flexible back-up generation capacity that will facilitate a greater reliance on renewable energy in the generation mix which would ultimately lead to a reduction in the use of non-renewable resources for the same purpose. Furthermore, there would be extremely limited use of the other natural resources in construction and during operation with the site being restored when the development is decommissioned after 40 years. Natural resources would therefore not be affected in terms of their relative abundance, quality and regenerative capacity and there is no potential for significant effects on non-renewable natural resources.

Production of Waste

The production of waste during construction would be extremely limited, as the large majority of components would be brought to site ready-made/pre-assembled. During operation, the Development will generate very little waste. Following the expiry of the consent, the battery units and associated infrastructure would be dismantled and removed from the site, leaving no residual effects. In addition, the batteries themselves can be reused/recycled at the end of their operational life. In the long term, dedicated battery recycling plants can be expected to increase

treatment capacities and the ability to recover a greater fraction of embodied materials. Decommissioning would be in accordance with technical guidance and best practice, with the methodology to be agreed with the Council at that time. There is no potential for significant effects on waste generation and management.

Pollution and Nuisances: Air Quality and Water

The Development, when operating, would have no emissions to air or water, cause no deposition to land, emit limited noise and potentially only have intruder-activated security lighting. Construction of the Development is a simple process involving only small quantities of cement and the ordinary use of vehicle fuels/oils, with none stored on site.

The site is a former landfill site (1965–1975). According to a previous trial pit investigation conducted on site by PCE in 2013, landfill gases were found to be present within the local authority landfilled wastes. The gas concentrations were found to be high, but low flows suggested that there was no significant ongoing gas generation. The previous site investigation report considers that the potential for ground gas to impact off-site properties was low due to the distance to neighbouring farms and the industrial estate to the west. As part of the scope of the proposed Phase 2 investigations, it is proposed that further assessment of the ground gases is undertaken to evaluate the need for any further gas mitigation as part of the detailed proposals.

According to the 2013 PCE assessment, leachate was found to be present within the local authority waste, although it was identified as weak and therefore assessed to have a low polluting potential. Groundwater and surface water quality appeared to be affected by some contamination which was thought to be from the local authority waste or off-site sources. The previous SCE investigation prepared to support the agricultural reclamation of the site considered that the reclamation did not represent a potential risk to the site or the general environment in terms of contamination. It was considered that the proposed site reclamation would reduce rainwater infiltration and thereby reduce the long-term risks associated with ongoing leachate generation. Overall, the potential for pollution is therefore low. As part of the scope of the proposed Phase 2 investigations, it is proposed that further assessment of the existing leachate and ground conditions will be undertaken to inform a detailed drainage strategy for the development in addition to evaluating the need for any addition contamination mitigation.

Any future full application will be duly supported by a detailed Flood Risk Assessment and Drainage Strategy. Which will set out a full surface water management strategy for the development which will take into account the local ground conditions and infiltration rates, in addition to any potential identified environmental and contamination risks associated with the former landfill use of the site.

During construction and decommissioning, there would be emissions to air from vehicles and plant, but these will not be sufficient to lead to air quality effects, such as the breach of National Air Quality Objectives, at the nearest receptors. (Note: the site is not within or in relevant proximity to an Air Quality Management Area – AQMA.)



In the wider context, the Development will facilitate the uptake of greater energy generation from renewable resources, therefore reducing the need for electricity from other sources, including fossil fuels and nuclear electricity generation, and thus will reduce the potential for pollution relative to the baseline.

Consequently, there are no air quality or hydrology receptors considered to be sensitive to the type of development proposed and there is no potential for significant effects on air quality or water quality.

Risk of Accidents and to Human Health

Further detail is included here on battery safety, and it is considered that, following the measures set out, the fire risk potential is limited. In addition we will provide an Outline Battery Fire Safety Management Plan as part of the application. This document will set out the best practices and mitigation measures in relation to fire safety, which are (but not limited to):

- Equipment monitoring by a Battery Management System (BES)
- Procuring components that comply with all relevant legislation and best practice guidance at a time of design and implementation.
- Including automatic monitoring and control system
- Offering to work with the local FRS to develop a tactical response that will minimise the risk in the event of fire and mitigate impacts.
- Production of a dedicated Emergency Response Plan, showing full understanding of hazards, risks, and consequences

The supporting Site Investigation report submitted as part of this EIA Screening Request has highlighted potential risks to human health during construction. The report identified a potential risk of harm to the health of humans due to direct contact with contaminants in soil or water and ingestion of contaminated soil/dust. The report also states there is the possibility of windblown particulates being inhaled by people/animals both on site and off site, particularly during any earthworks associated with the proposed site restoration. Human health was considered to be at risk by the inhalation of landfill gases/vapours.

Much of the above risks are associated with construction, but any future planning applications will be accompanied with a CEMP which will detail how any such risks during construction will be appropriately mitigated.

Renewable Energy and Carbon Displacement

The Development would comprise a form of carbon net zero energy storage to provide balancing energy to the National Grid. Its grid balancing mechanism specifically forms part of the renewable



energy infrastructure being developed to meet the UK's obligations under the Renewable Energy Directive.

Importantly, battery storage schemes also allow more renewable energy production to be integrated into the system. The intermittent and variable supply that is inherent in renewable energy generation creates peaks and troughs in electricity production. Battery storage facilities such as the one proposed reduced the peaks and troughs in electricity supply, being able to respond at short notice to requests from National Grid to generate electricity, when renewable sources are not generating and also absorb surplus renewable energy when it is generated but there is no demand on the grid.

The proposal would therefore provide greater capacity and flexibility in the energy generation network and the proposed batteries would support the move towards a low carbon energy network supplied increasingly by renewable energy developments. The Development is required for the exploitation of renewable energy and will make an important contribution to ensure that Knowsley Metropolitan Borough Council can meet their own planning objectives by minimising greenhouse gas emissions and supporting the use of renewable energy.

Identifying the Potential for Significant Effects

The changes to the site and its surrounding environment which may take place during the construction, operation and decommissioning of the Development have been identified and considered for potential direct or indirect changes to environmental features within or outside of the site. Changes to the environment are known as 'impacts', and anything which benefits or creates detriment to an environmental feature is known as an 'effect' – reference is made to either 'beneficial' or 'adverse' effects. Any impacts are appraised using professional judgement by experienced EIA practitioners to determine the potential for significant effects on receptors. The following potential effects are considered:

- Direct and indirect effects;
- Primary and secondary effects;
- Short, medium and long-term effects;
- Permanent and temporary effects.

Establishing the baseline, including predicted future conditions without the Development, is the key basis for predicting the potential for impacts and effects at this screening stage, combined with the depth and breadth of experience of the author in conducting EIA and environmental assessment of a range of development types, and reviews of other similar developments. The author has consulted inhouse specialists where appropriate, including ecologists, landscape architects and archaeologists / heritage specialists.



At present, highest risk ratings relate to groundwater resources and surface water in relation to on-site waste (**High-Moderate**), and site end-user exposure to ground gas (**Moderate**).

In light of these risk ratings, further assessment is required to either refine the risk levels or produce a remediation/mitigation plan to ensure the site is suitable for its intended use.

With regards to battery safety, there are many mitigation measures in place both in the form of legislation and the BESS design itself to mitigate against chemical leakage from the BESS. Safe transportation ensures no damage to the batteries prior to use and in terms of legislation, all Lithium-Ion batteries must be transported in accordance with UN 38.3 to which the UK is a signatory.

The BESS will be constructed in accordance with the International Electrotechnical Commissions standards for Electrical Energy Storage Systems. During the construction phase, compliance environmental working practices and legislative requirements would also be delivered through: -

- i. Construction (Design and Management) Regulations 2015. The Construction (Design and Management) Regulations 2015 (CDM Regulations) place legal duties on almost all parties involved in construction work. The regulations place specific duties on clients, designers and contractors, so that health and safety is taken into account throughout the life of a construction project from its inception to its subsequent final demolition and removal. Under the CDM Regulations, designers have to avoid foreseeable risks so far as is reasonably practicable by eliminating hazards from the construction, cleaning, maintenance, and proposed use and demolition of a structure, reducing risks from any remaining hazard, and giving collective safety measures priority over individual measures.
- ii. Management of Health and Safety at Work Regulations 1999 – The Management of Health and Safety at Work Regulations 1999 reinforce employer's duties to manage health and safety and apply to all work activities. The principal of risk-based assessment provides the cornerstone for management of health and safety and all employers are required to undertake risk assessments
- iii. Health and Safety at Work etc. Act 1974 – The Health and Safety at Work etc. Act 1974 provides the framework for the regulation of workplace health and safety in the UK. It places general duties on employers, people in control of premises, manufacturers and employees. The overriding principle is that foreseeable risks to persons will be reduced so far as is reasonably practicable.

Mitigation

Where possible, mitigation measures will be “embedded into” the overall design strategy rather than “added on” to the proposals. An example of this is screening to reduce the magnitude of visual effects, and habitat creation where consideration will be given to tree and woodland planting and wildflower meadow on sections of the site following completion of the ecological



and landscape assessment. By being flexible with the design, the project will continue to respond to the findings of consultation and environmental assessment work through an iterative process.

In response to the potential risks arising from contaminated land, soakaway water should be prevented from percolating into the landfill. Storage of water above the old waste deposits represents a potential hazard with the likelihood of localised increase in infiltration. A full surface water management strategy will accompany any application.

5. Conclusions

The nature of the proposed development is for a BESS on a former landfill site. A Site Investigation Report was conducted which highlighted potentially hazardous environmental effects.

Given the anticipated low impact of the proposal, it is considered that whilst there will be some effects upon the environment, none of these are considered to constitute 'significant effects' upon the environment, as set out in the relevant guidance. Accordingly, it is considered that the screening proposal is Non-EIA Development.

For the reasons identified and discussed in this letter and summarised below, we consider an Environmental Impact Assessment is not required for the proposed development since:

- The site is located within the Green Belt, but the surrounding area includes an industrial park and pylons which detracts from the existing openness of the Green Belt. The low-lying industrial battery facility would not have a detrimental impact on the openness of the countryside or Green Belt.
- Traffic during construction would not lead to significant impact on the locality. 5-10 HGVs will enter and exit the site a day during construction, and with the locality to the industrial park and regular HGV traffic using the local highway network currently, this will have no adverse impacts on the local highway. Additionally traffic during operation would be very limited and cause no significant impact on the local traffic.
- There will be no potential significant impact on non-renewable natural resources due to the nature of the development.
- There is an extremely limited production of waste resulting from construction, operation and decommissioning of the development. The nature of battery storage schemes are that they are typically prefabricated and are able to be recycled after decommissioning.
- There is no operating pollution associated with battery storage schemes.
- There is the potential of air pollution from landfill gas, but the flow rate of the gas indicates that there is no significant on-going gas discharge from the landfill.



- Leachate is found to be present at the site. Further investigation will be conducted to inform a detailed surface water drainage strategy and foundation design which will incorporate necessary mitigation to remove any risk of contamination without the need for an EIA.
- There will be no significant impacts on air quality resulting from construction, operational and decommissioning traffic.
- Potential beneficial effects are highlighted from increasing capacity for renewable energy.
- No significant impacts are identified from pollution substances as very little will be stored on site.
- There is no significant impact on human health and accidents as a result from fire safety.
- Human health risks associated with construction and end-user use have been identified as a result of contaminated land. It is considered that the risk associated with this is very low/low.
- Beneficial effects will arise from the increase in carbon zero energy capture.
- There are no statutory environmental designations within the site's boundaries and there are a limited number of ecological designations within proximity of the site. Any planning application will be supported by extended ecological surveys as required. These surveys will provide an evidence base for a Landscape and Ecological Management Plan (LEMP), which will accompany any future submission without the need for an Environment Statement;
- There are no nationally designated heritage assets identified within, nor immediately adjacent to, the site boundary;
- Any formal planning application submission would be supported by detailed LVIA and an ecological assessment. Other studies with regards to traffic, drainage, heritage would also be submitted and as such any adverse impacts in this regard would be identified and fully mitigated without the need for an EIA;
- Given the low level of trip generation onto the highway, it is apparent that the proposals will not have a material impact and will certainly not give rise to any potential significant effects with regards to highway movement or vehicular pollution (noise and emissions);
- Where possible, mitigation measures will be "embedded into" the overall design strategy rather than "added on" to the proposals; and



- There is also no express MW threshold for battery developments.

To give reassurance to the Council, any formal planning application would be supported by the relevant technical assessments, and these will include:

- Planning Statement & Very Special Circumstances;
- Design and Access Statement;
- Planning Application Drawings;
- Flood Risk Assessment and Drainage Strategy;
- Heritage Assessment;
- Arboricultural Impact Assessment;
- Construction Traffic Management Plan;
- Landscape and Visual Impact Assessment and Green Belt Assessment;
- Ecological Impact Assessment and Phase 1 Ecological Survey;
- Biodiversity Net Gain Assessment;
- Phase 1 & Phase 2 Ground Conditions and Contamination Assessment; and
- Acoustic Assessment.

We look forward to receiving the Council's Screening Opinion within the timeframe specified by the EIA Regulations.

Should additional information be required from either the Council or statutory consultees please do not hesitate to contact me directly.

Yours faithfully,

Dafydd Gwilym

Planner

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Enc. Location Plan & Site Investigation Report