

Our Ref: 2569-03/JM

05 August 2025

FAO: Mr Andrew Hunt
Knowsley Metropolitan Borough Council
Municipal Buildings
Huyton
Knowsley
L36 9UX

Dear Andrew,

SECTION 73 APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION 25/00123/FUL FOR A GRID CONNECTION CABLE ROUTE BETWEEN A BATTERY STORAGE FACILITY AND THE NATIONAL GRID KIRKBY SUBSTATION OFF COOPERS LANE, KNOWSLEY INDUSTRIAL PARK, KIRKBY

Introduction

I write, on behalf of HD001KIR Ltd (hereafter referred to as 'the Applicant' or 'Pelagic Energy'), in respect of the above Section 73 proposal (the 'Proposed Development').

This application has been submitted via the Planning Portal (ref. PP-1422979) and comprises:

- This Covering Letter-Statement;
- Planning Application forms;
- A set of amended Planning Drawings;
 - 2569-03-001 Site Location Plan RevD;
 - 2569-03-002 Statutory Plan RevD;
 - 2569-03-003 General Arrangement RevE;
 - 2569-03-004 Existing Site Plan RevD;
- Fee of £671, paid electronically, which includes the £85 Planning Portal Fee.

Background

The consented Kirkby Battery Energy Storage System (BESS) facility on land off Coopers Lane (Knowsley Council ref. 23/02008/FUL) requires a connection to the electricity grid via an electrical cable. This was originally envisaged to be provided under permitted development rights although has since been deemed to require planning permission. The point of connection for the Kirkby BESS to the electricity grid will be at the adjacent National Grid 275/400kV substation to the north of the BESS site. An application for this cable route was approved under ref. 23/02667/FUL on 30th April 2024.

An amendment to the planning drawings of 23/02667/FUL, which included a slight change to the planning redline, was approved through a Section 73 ('S73') application (ref. 25/00123/FUL) on 7th May 2025 ('the Approved Scheme'). The use of S73 of the TCPA to change the redline was deemed acceptable by the LPA following discussions with yourself.

Following further investigations of the grid connection route, the Applicant has again identified that some further small final changes are required to the route and the redline boundary is required to be amended again to accommodate these.

The cable route / redline boundary changes are very minor and thus should be capable of being considered and accepted under the S73 planning route.

Proposed Amendments to Grid Connection Route and Consented Redline

The Proposed Development is illustrated on drawing 2569-03-003 Rev E ‘General Arrangement’. This drawing identifies the revised grid connection cable route, and 2569-03-002 Rev D ‘Statutory Plan’ illustrates the revised redline boundary. The revised grid connection cable route would follow a very similar route to the scheme approved under 25/00123/FUL with only marginal differences.

The construction method and trench layout for the grid cable connection, as well as the associated above-ground infrastructure at the point of connection to the substation would be unchanged.

For clarity, the installation process involves the cable being laid underground within a mechanically dug trench for the majority of the route. Suitable root barriers would be installed within the trench when in proximity to existing trees. Some sensitive locations, such as the crossing of existing services would require hand excavation. Once the cables are jointed, all trench / excavation support equipment would be removed, the excavation would be backfilled and the area reinstated to existing ground levels and conditions.

The planning drawings of the Approved Scheme showing the redline and the cable route require have been updated accordingly. The table below identifies the current approved drawings under this permission and sets out which are to be amended.

Approved Scheme Drawing Name / Reference	Amended / Unchanged	Revised Drawing Name / Reference
2569-03-002 Statutory Plan Rev C	Amended	2569-03-001 Site Location Plan Rev D
2569-03-003 General Arrangement Rev D	Amended	2569-03-002 Statutory Plan Rev D
2569-03-004 Existing Site Plan Rev C	Amended	2569-03-003 General Arrangement Rev E
2569-03-002 Statutory Plan Rev C	Amended	2569-03-004 Existing Site Plan Rev D
2569-03-005 Above Ground Infrastructure	Unchanged	-
2569-03-006 33kV Cable Typical Trench Cross Sections	Unchanged	-

Environmental and Planning Considerations

Environmental Matters

The Proposed Development would have no greater environmental impact then then the Approved Scheme. For clarity, these environmental matters are set out again below for reference.

The site (as shown on planning drawing 2569-03-002) is wholly located within Flood Zone 1 and is therefore not at risk of flooding. In addition, the site is not located within or adjacent to any protected environmental designations. There are no heritage assets in proximity to the site. All works within the public highway would be carried out in accordance with local highway operational requirements.

The grid connection cable route would partly sit within the grass verges adjacent to Coopers Lane and Molly’s Lane. The verges are regularly cut and would have limited ecological value.

The underground section of the cable route would have no visual impact above ground. The above-ground infrastructure at the point of connection to the substation would be perceived as part of the existing infrastructure of the extensive substation complex. Notwithstanding, this has already been consented through the Approved Scheme and is not proposed to be any different.

Planning Matters

The Proposed Development is subject to the same planning policy tests as for the Approved Scheme and therefore is considered to also be acceptable in light of the local Development Plan and National Planning Policy.

The Proposed Development would support the Kirkby BESS which itself would ultimately deliver sustainable development in line with policy SUE2 Sustainable Urban Extensions - Development Principles of the Knowsley Local Plan Core Strategy.

Summary and Conclusions

This Section 73 application has been submitted to KMBC by the Applicant to vary the drawings of the Approved Scheme to reflect a slightly revised grid connection cable route and associated redline planning boundary change. It has been demonstrated that the Proposed Development would have no greater impact than the Approved Scheme and meets necessary policy tests.

Based on the foregoing, it is recommended that the award of planning permission for the Amended Scheme is fully justified and thus should be granted.

We trust that the content of this letter and the application documentation are self-explanatory. However, please do not hesitate to contact the undersigned at should you have any queries or require any further information.

Yours sincerely

Jonathan Maginness

Jonathan Maginness

Senior Planning Consultant on behalf of Axis

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