

APPLICATION NUMBER	CB/24/00414/FULL
LOCATION	Field to the south of Toddington Services, immediately to the west of the M1 motorway and east of Hipsey Spinney, Toddington, Dunstable
PROPOSAL	Construction and operation of an energy storage scheme with an installed capacity of circa 240 Megawatts, comprising of energy storage units and other equipment sited on a hardstanding within a landscaped and fenced enclosure.
PARISH	Toddington
WARD	Toddington
WARD COUNCILLORS	Cllr Purser, Cllr Walsh
CASE OFFICER	Lauren Rance
DATE REGISTERED	15 February 2024
EXPIRY DATE	16 May 2024
APPLICANT	Kona Energy
AGENT	The Energy Workshop
REASON FOR COMMITTEE TO DETERMINE	The proposal is a major development with Parish Council Objections.
RECOMMENDED DECISION	Full Application - Recommend for Approval
APPENDIX	NA

Reason for Recommendation:

Battery storage systems are subject to locational constraints; the most important of which is the distance of the system from the connection to available capacity on the national grid.

The proposal represents inappropriate development in the Green Belt. Section 13 of the NPPF states that substantial weight should be given to any harm to the Green Belt and inappropriate development should not be permitted except in 'very special circumstances'. Paragraph 156 of the NPPF sets out that such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. Further other harm identified as a result of the proposal has been set out within this report and is summarised as follows:

- Harm to the character and appearance of the area and wider landscape character including the amenity of users of the local rights of way network
- Cumulative harm with other renewable projects within the vicinity
- Temporary loss of BMV agricultural land.

Notwithstanding the above, the proposal would be able to store significant amounts of energy which would generate substantial environmental benefits contributing to local and national carbon reduction targets. It is considered that the substantial benefits of the scheme would amount to Very Special Circumstances which clearly outweigh the harm to the Green Belt and all other identified harm.

As such, the proposal is considered to accord with Sections 13 and 14 of the NPPF and the NPPF when read as a whole; National Policy Statements EN1 and EN3, Government Guidance on Climate Change and Renewable and Low Carbon Energy, and relevant policies of the Central Bedfordshire Local Plan when read as a whole.

Members are advised that if they resolve to approve this application, the Council are required to give the Secretary of State the opportunity to call in the application as it is a major application for inappropriate development in the Green Belt.

Site Location:

The site is located on arable farmland immediately to the west of the M1 motorway, south of Toddington Services and approx. 2km to the east of Toddington. Approx. 600m to the south of the site is Sundon Substation where the site would connect up to the electricity transmission network. Chalton Sewage Treatment Works also lies to the south of the site.

Cowbridge Farm, the closest residential property is approx. 1km to the west of the proposed facility however the access road does run adjacent to the property.

The site is within the Green Belt. The site has no other formal allocation in the adopted local plan.

The Application:

The application seeks planning permission for the construction of a Battery Energy Storage System (BESS) with an export capacity of circa 240 Megawatts (MWe) per hour.

The proposal would consist of the following separate elements, as listed below.

- 1,360 Energy Storage Cabinets, installed as 68 groups of 20;
- 68 small transformer/inverter units (one for each group of 20 storage units);
- One large power transformer and associated switchgear;
- Electrical control building;
- MV Switch Room;
- Site Office;
- Storage Container;
- Steel powder coated steel mesh security fence and access gates (max height 2.8m);
- CCTV columns (max height 3.1m).

The proposed energy facility could consist of a fenced compound surrounded by landscaping to include species rich meadow planting, hedgerow and native tree planting immediately around the site. Riparian meadow planting alongside the River Flit is also proposed.

The site occupies an area of intensively farmed agricultural land which has not previously been developed, with the site being accessed via an existing agricultural track from the B530.

The energy storage modules would have an operating life of up to 50 years, after which they would be removed and the site restored to its previous condition.

It is anticipated that the proposal will create the equivalent of around two new full-time jobs or four part-time jobs although these would be based remotely

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (December 2023)

- 2: Achieving sustainable development
- 4: Decision-making
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 14: Meeting the challenge of climate/coastal change, flooding
- 15: Conserving and enhancing the natural environment
- 16: Conserving and enhancing the historic environment

Central Bedfordshire Local Plan

- SP2: NPPF - Presumption in Favour of Sustainable Development
- SP4: Development in the Green Belt
- EE1: Green Infrastructure
- EE2: Enhancing Biodiversity
- EE3: Nature Conservation
- EE4: Trees, Woodlands and Hedgerows
- EE5: Landscape Character and Value
- EE12: Public Rights of Way
- CC2: Sustainable Energy Development
- CC3: Flood Risk Management
- CC4: Development Close to Watercourses
- CC5: Sustainable Drainage
- CC6: Water Supply and Sewerage Infrastructure
- CC7: Water Quality
- CC8: Pollution and Land Instability
- HQ1: High Quality Development
- HE1: Archaeology and Scheduled Monuments
- DC5: Agricultural Land
- T2: Highways Safety and Design
- T3: Parking
- T5: Ultra Low Emissions Vehicles

Neighbourhood Plan Policies

Not applicable

Supplementary Planning Guidance/Other Documents

- Central Bedfordshire Design Guide (2023)
- Electric Vehicle Charging SPD
- National Planning Practice Guidance
- National Policy Statement for Energy (EN-1)
- Ministerial Statements
- Proposed reforms to the NPPF and other changes to the planning system (July 2024)

Relevant Planning History:

Case Reference	CB/23/03787/FULL
Location	Field to the south of Toddington Services, immediately to the west of the M1 motorway and east of Hipsey Spinney, Toddington, unstable
Proposal	Construction and operation of an energy storage scheme with an installed capacity of circa 250 Megawatts, comprising of energy storage units and other equipment sited on a hardstanding within a landscaped and fenced enclosure.
Decision	Application Withdrawn
Decision Date	13/02/2024

Case Reference	CB/21/02679/PAPC
Location	South of Toddington M1 Services Northbound, M1 Junction 11 to Junction 12, Toddington, unstable, LUG 6HP
Proposal	Pre application advice, other developments: Construction and operation of a battery storage facility, including battery containers, transformer, fencing and landscaping
Decision	Pre-App Charging Fee Advice Released
Decision Date	08/09/2021

Consultees:

Toddington Parish Council	Object to the development on the grounds of: <ul style="list-style-type: none"> • Contrary to CBC Local Plan • Inappropriate development in the Green Belt • Loss of agricultural land • Fire risk • Impact on Ancient woodland - Hipsey Spinney • Impact on the River Flit
Chalton Parish Council	Object to the development on the grounds of: <ul style="list-style-type: none"> • Loss of agricultural land • Fire risk • Impact on M1 • Green Belt • Cumulative impact of other battery/renewable developments • Need CBC to have a renewables plan
Harlington Parish Council	Object to the scheme due to it's location adjacent to the M1
CBC Archaeology	No objection subject to conditions
Anglian Water	No comment to make.
Internal Drainage Board	Application needs to seek separate drainage consent
Bedfordshire Fire and Rescue Service	Although the Building Regulations do not appear to apply in this instance, I recommend that access to the facility is provided in accordance with Section B5 of Approved Document B Volume 2 of the Building Regulations. This relates to access and facilities for the fire service.
CBC Business Investment	No response received.
CBC Ecology	Following additional information, no objection subject to conditions
National Highways	Following additional information, no objection subject to conditions

CBC Highways	Following additional information, no objection subject to conditions
CBC Pollution	No objection
CBC Rights of Way Officer	No objection
British Pipeline Agency	No objection
HSE	No objection
Cadent	No objection
CBC Sustainable Growth Officer	Support the application
CBC Landscape Officer	Following revisions to the proposal, no objection
Natural England	No response
CBC Trees Officer	No objection subject to conditions
Environment Agency	No response
Wildlife Trust	No response received.

Other Representations:

Neighbours No neighbour objections received.

Considerations

1. Principle of Development and Impact on Green Belt

1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

1.2 The National Planning Policy Framework is the primary document expressing national planning policy within England. This document stresses the primacy of the Development Plan, explaining that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

1.3 Need for Renewable Energy

1.4 In this case the relevant Local Plan is the recently adopted Central Bedfordshire Local Plan (2021). Policy CC2 of the adopted local plan states:

"The Council recognises the environmental, social and economic benefits of renewable or low-carbon energy and sustainable energy infrastructure.

1.5 *The Council will positively support energy developments which:*

1. *Are located in the suitable areas where negative impacts can be most effectively mitigated through design, scale and siting of the project;*
2. *Are located and designed so as to have no unacceptable adverse impacts on the historic environment, sensitive landscapes and townscapes, noise, pollution and harm to visual amenity and can provide environmental benefits; and*
3. *Can demonstrate engagement with affected stakeholders, including communities, in order to understand issues for objection and seek to address them.*

1.6 Paragraph 10 of the NPPF states, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

1.7 Paragraph 11 of the NPPF goes on to state that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

1.8 Section 14 of the NPPF deals with climate change. Paragraph 152 states:

"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

1.9 Paragraph 163 of the NPPF states:

"When determining planning applications for renewable and low carbon development, local planning authorities should:

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

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

1.10 National Policy Statements EN1 and EN3 are material considerations in determining planning applications. EN1 is the overarching National Policy Statement for Energy and includes at paragraph 3.4.1:

"that the UK commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent."

- 1.11 It also provides topic specific guidance which is generic across all forms of energy infrastructure.
- 1.12 The Council adopted its own Sustainability Plan in September 2020 covering a period of 2020 - 2030 and has recently updated this plan in September 2024. The plan sets out that the Council will seek to facilitate investments in renewable energy infrastructure including battery storage.
- 1.13 The Government's Committee on Climate Change notes within the Fifth Carbon Budget for the UK (which has been passed by Parliament) that the evidence that global warming is happening, driven by human activity and with large potential impacts, is supported by many lines of research and agreed by the world's leading scientific bodies.
- 1.14 The UK has a number of statutory targets in regards to lowering carbon emissions and increasing the use of renewable energy. The Climate Change Act 2008 set a target of reducing greenhouse gas emissions by at least 80% of 1990 levels by 2050, in addition the UK parliament declared a "climate emergency" on 1 May 2019.
- 1.15 The Paris Climate Change Agreement of 2016 saw the UK government along with countries from around the world agree to work together to keep the increase in global temperatures to below 2 degrees Celsius above pre-industrial levels and to aim to limit the increase to 1.5 degrees Celsius. As part of the agreement, countries committed to meeting every five years to set more ambitious targets as required by science to ensure that rising temperatures are limited.
- 1.16 On the 27th June 2019 the Government formally amended the target within the Climate Change Act to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. On the 20th April 2021 the government committed within their Sixth Carbon Budget for the UK to reduce emissions by at least 78% of 1990 levels by 2035.
- 1.17 In an effort to help achieve net zero emissions the Climate Change Committee published "policies for the 6th Carbon Budget and Net Zero" in December 2020 and the Government announced in April 2021 an intention to adopt the recommendations of the committee in full. One of the four key areas of the policies is to expand low carbon energy supplies with the committees net zero scenario expecting 80% of electricity to be supplied by renewable energy.
- 1.18 Prime Minister Keir Starmer recently announced at COP29 (November 2024) that the UK will commit to reduce emissions by at least 81% of 1990 levels by 2035, and this also reflects the intended commitment by the Labour government to prioritise and support renewable projects with the recent statements from Angela Rayner (Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government) and the recent consultation on a revised NPPF. Although at the time of writing these can only be afforded limited weight.
- 1.19 Building the Homes We Need - Angela Rayner (Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government) 30 July 2024 states:

"Turning to green energy, boosting the delivery of renewables will be critical to meeting the Government's commitment to zero carbon electricity generation by 2030. That is why on this Government's fourth day in office we ended the ban on onshore wind, with that position formally reflected in the update to the National Planning Policy Framework published today. We must however go much further – which is why we are proposing to: boost the weight that planning policy gives to the benefits associated with renewables."

- 1.20 Consultation to revised NPPF, Chapter 9 - Supporting Green Energy and the Environment:

Supporting Renewable Energy

7. We are proposing amendments to existing paragraph 163 to direct decision makers to give significant weight to the benefits associated with renewable and low carbon energy generation, and proposals' contribution to meeting a net zero future. In doing so, this aims to increase the likelihood of local planning authorities granting permission to renewable energy schemes and contribute to reaching zero carbon electricity generation by 2030.

- 1.21 It is considered that national and local policies and renewable energy targets direct that significant weight should be given to the contribution the proposal would make towards the generation of renewable energy and the associated reduction in carbon emissions.

1.22 Battery Storage

- 1.23 National Policy Statement for Energy (NPS EN-1) states, in paragraph 2.6.5, that: *"...the government believes that the NPSs set out planning policies which both respect the principles of sustainable development and can facilitate, for the foreseeable future, the consenting of energy infrastructure on the scale and of the kinds necessary to help us maintain safe, secure, affordable and low carbon supplies of energy."*

- 1.24 Paragraph 3.3.6 of the NPS recognises the role of energy storage, stating that: *"...Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure."*

- 1.25 Paragraph 3.3.25 further recognises 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. Paragraph 3.3.25 specifically states that: *'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'*.

- 1.26 Paragraph 3.3.26 goes on to state that: *'Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. There is currently around 4GW of electricity storage operational in GB, around 3GW of which is pumped hydro storage and around 1GW is battery storage.'*

- 1.27 The Applicants submitted Planning Statement sets out that the proposal will store 240MW and will result in significant carbon savings, helping to decarbonise the UK electricity grid. This is estimated to be within the range of 10,347 to 16,181 tonnes of carbon dioxide equivalent per annum, depending on the methodology used.
- 1.28 This equates to between 413,800 tonnes and 647,240 tonnes over the projects planned lifespan, In addition, this will reduce and ultimately prevent the need for further fossil fuel-based grid balancing technologies, gas peaking plants and diesel generators, which have high carbon impacts.
- 1.29 The proposed development is supported by national policy including the NPPF, and Policy CC2 of the adopted local plan. Support is also given by the Council's Sustainable Growth Officer who recognises the positive contribution towards energy efficiency, resilience on local grid networks and increasing certainty of supply to existing homes and businesses. The response from the Sustainable Growth Officer also points out that the proposal is supported by the Council's Sustainability Plan (2020-2030).
- 1.30 It is considered that the provision of such substantial energy storage and the associated reduction in CO2 emissions is a substantial benefit of the proposal.

1.31 Green Belt

- 1.32 The application site lies entirely within the South Bedfordshire Green Belt, and therefore significant weight is attributed to Policy SP4 of the CBLP and Section 13 of the National Planning Policy Framework (NPPF), which seeks to enhance and protect the openness of the Green Belt. Paragraph 143 of the NPPF sets out the fundamental purpose of the Green Belt, which are:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 1.33 Paragraphs 154 and 155 of the NPPF state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSCs). When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 1.34 The proposed development is not listed within paragraphs 154 and 155 of the NPPF as an exception to inappropriate development in the Green Belt, and therefore the proposal would constitute inappropriate development by definition. Indeed, paragraph 156 states that elements of many renewable energy projects in the Green Belt will comprise inappropriate development. It would also be at odds with one of the purposes of Green Belt, i.e. safeguarding the countryside from encroachment.

- 1.35 The proposal is deemed to constitute a renewable energy project. The energy storage facilities import electrical power during periods of oversupply from renewable generators, power which would otherwise be wasted through the curtailment of these generators. This power is, subsequently, exported back to the grid during periods of low renewable generation, offsetting the use of gas.
- 1.36 The proposal will result in significant carbon savings, helping to decarbonise the UK electricity grid. The application outlines that this is estimated to be within the range of 10,357 to 16,181 tonnes of carbon dioxide equivalent per annum. Therefore although the proposal is not a renewable energy source, it plays a significant role in facilitating the deployment of renewable generation and delivering decarbonisation.
- 1.37 This role is now recognised in recently revised Planning Guidance concerning Renewable and low carbon energy, published by the Department for Levelling Up, Housing and Communities and the Ministry of Housing, Communities & Local Government on the 14th of August 2023. In this guidance, energy storage systems are now specifically referred to, with the guidance stating 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.'*
- 1.38 The importance of energy storage is further justified by the UK Government passing the Energy Security Bill which now acknowledges energy storage as a generation asset which will ultimately contribute to the safety and resilience of the UK's energy system.
- 1.39 The proposed development would not comply with any of the exceptions to inappropriate development as outlined within paragraph 154 and 155 and would conflict directly with the purpose of the Green Belt in paragraph 143. Therefore, by definition, the proposed development would constitute inappropriate development, which is reinforced by paragraph 156 which indicates that elements of many renewable energy projects will comprise inappropriate development.
- 1.40 Due to the topography of the site, the site would not be visible from the B530 but would be seen from the M1. However, the application site is currently located within a rural location and no permanent built form can be seen within the context of the application site other than the M1, Toddington Services and the National Grid Electricity Sub-Station. Although the proposal would be similar in character and form to the current utilities around the site, the undeveloped nature of the site and surrounding land it is considered that the site makes a significant contribution to Green Belt openness in this location.
- 1.41 The proposed development would occupy an area of land which is currently open arable fields which are undeveloped. The proposal would introduce urban features and built form including through the provision of the battery storage units and ancillary features such as a transformer, switch room, storage containers, fencing and CCTV which would urbanise the sites and reduce their visual and spatial openness. The proposal would result in

enclosure of the site, alongside substantial development near to the site boundary alongside the M1. The development would result in a loss of openness to the Green Belt in this location. The proposal would therefore conflict with the 5 purposes of including land within the Green Belt by failing to protect the countryside from encroachment.

- 1.42 As such, given the scale and nature of the proposed development it is considered that the proposal would constitute inappropriate development in the Green Belt. Paragraph 156 adds that in such cases developers will need to demonstrate very special circumstances if projects are to proceed. The case for very special circumstances is addressed in the relevant section below.
- 1.43 The cable route is not part of this application however it is indicated that it would travel south through agricultural fields to the Sundon Substation. Any associated cabling would be buried below ground and as such it is not considered that the cabling would result in any impact in the context of the Green Belt.
- 1.44 In conclusion, substantial weight is given to the harm that the proposal would have on the Green Belt by reason of inappropriateness and a limited loss of openness. However, it is considered that substantial weight should be attributed to the social, environmental, and economic benefits of the development as they relate to the management of energy, coupled with the proximity of the site to an existing substation with capacity. This is discussed further within the report.

2. Character and Appearance of the Area

- 2.1 Policy HQ1 of the Central Bedfordshire Local Plan require, inter alia, that development through appropriate design, materials, landscaping and efficient use of land respects the local context and contributes positively to creating a sense of place, respecting the varied character and the local distinctiveness of the area.
- 2.2 Policies EE4 and EE5 require that development will conserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Central Bedfordshire Landscape Character Assessment.
- 2.3 National guidance confirms that good design and creation of high quality buildings and places is a key aspect of sustainable development, and is fundamental to planning. Paragraph 180 of the Framework requires development to contribute and enhance the natural and local environment by protecting and enhancing valued landscapes and respecting the intrinsic value of the countryside.
- 2.4 Given the above it is considered that Policies HQ1, EE4 and EE5 of the CBLP are consistent with the sustainable objectives of the NPPF and thus these policies can be attributed significant weight.
- 2.5 The site occupies an area of intensively farmed agricultural land which has not previously been developed.
- 2.6 The proposal is located in the Clay Vales Landscape Character Type (LCT), within the 5B LCT sub area, the Barton-le-Clay - Clay Vale

- 2.7 In relation to the Barton-le-Clay LCT, the LCA provides Strategy Guidelines for new development. Paragraph 5B.1.26 of the Guidelines states that developers and decision makers should seek to maximise opportunities for woodland creation adjacent to the transport corridors e.g. to minimise the visual intrusion of Toddington Services and M1 corridor and extending the existing woodland resource and connecting to other areas of existing woodland. Woodland planting should ensure views across the flat, open vale are retained, and reflect the historic grain of the landscape, reinforcing former hedgerow lines and field patterns.
- 2.8 The proposed planting that includes native trees, hedgerows (which include gapping up of existing hedgerows around the site) complies with the requirements whilst providing additional green infrastructure connections and once established will help shield the site from neighbouring land.
- 2.9 Paragraph 5B.1.27 of the guidelines seeks to enhance the ecological value and visual presence of and access to the River Flit and other tributary streams crossing the vale. These areas are considered to represent a priority for establishing areas of pasture.
- 2.10 A section of the access track follows the River Flit and on this stretch a buffer encompassing the area of between the track and the edge of existing riparian habitat will be put in place. This will be allowed to revert to species rich meadow and deliver further environmental benefits both in terms of biodiversity and by increasing the distance between the edge of the river and intensive arable farmland which is subject to significant inputs of fertilisers, herbicides and pesticides.
- 2.11 Paragraph 5B of the LCA seeks to avoid further cluttering on the skyline by additional large vertical structures in areas of high pylon density as at Chalton. The proposal lies within this area of high pylon density, but the proposed structures are low in height and will not further add to this existing visual clutter.
- 2.12 The LCA also outlines Landscape Management Guidelines in relation to the host LCT. Paragraph 5B.1.36 of the LCA seeks to deliver the restoration and improve the condition and structure of hedgerow boundaries, particularly adjacent to the transport corridors, and to promote a new generation of hedgerow trees. Whilst paragraph 5B.1.37 seeks to deliver the improvement of arable farmland habitats, for example by managing arable field margins, and over wintering stubbles, etc.
- 2.13 The proposal will create new hedgerow and woodland boundaries and will provide some additional screening from the adjacent M1 and Toddington Services, as the landscaping matures. The site would be surrounded by 450m of hedgerow and areas of native woodland planting to provide screening and to deliver a Biodiversity Net Gain. The remaining areas outside of the battery site, access road and hedgerow/woodland planting would be landscaped in rich meadow planting.
- 2.14 The site is a greenfield site and has been located to take advantage of the screening effects of two adjacent areas of woodland - Hipsey Spinney and Woodcock Wood as well as the local topography and the M1 embankment. Due to this screening and the proposal being sited within a bowl within the landscape, the site is not in a visually prominent location or nor viewed within an open and expansive landscape.

- 2.15 The site has been designed to have the buildings sited closest to Hipsey Spinney an established woodland where the land naturally raises up which would provide established and natural screening for the taller and more bulkier built form of the proposal. It is noted however that a sufficient buffer has been provided between the site fencing and Hipsey Spinney (30m) to ensure that there is no impact upon the woodland or any protected species.
- 2.16 The CBC Landscape Officer has been consulted as part of the application and offered no objection subject to conditions on a full landscaping scheme being provided as well as a maintenance and management scheme.
- 2.17 It is, therefore, considered that the proposal would not have any significant visual effects on any receptors beyond its immediate vicinity, subject to mitigation in the form of landscaping. Full details of the proposed landscaping mix and its maintenance and management are to be secured via condition.
- 2.18 The site would accommodate up to 1,360 individual battery cabinets, installed as 68 groups of twenty cabinets. Each group of twenty cabinets would be accompanied by a separate container housing inverters and other equipment. The energy storage units will be finished with an appropriate RAL light grey and/or green finish, to be agreed via planning conditions.
- 2.19 The proposed electrical storage containers including their associated inverter/control units would have a height of approx. 2.9 metres including concrete support pads. It is proposed that the storage containers and other units on the site would be light grey or light green in colour, the final details to be conditioned.
- 2.20 Both the Electrical Control Building and MV Switch Room are intended to be constructed of red engineering brick with a 'green' roof. The building will house electrical equipment and switchgear and monitoring equipment. However the final materials are to be agreed via condition. The green roofs would further integrate the built form into the landscape (especially when viewed from higher land to the south west).
- 2.21 A large power transformer and associated switchgear, metering equipment and bus bars would be located adjacent to an associated Medium Voltage (MV) Switch Room, at the southern end of the site within a separate fenced sub-compound.
- 2.22 The site will be surrounded by 2.8m high security fencing consisting of a mixture of steel mesh fencing and wood fronted mesh fencing and would be accessed by a double leaved access gate, which will provide security. Additional security fencing within the compound site would surround the electrical compound housing the power transformer and switch gear. It is proposed that the security fencing would be dark green in colour, however the final details will be conditioned.
- 2.23 The proposed perimeter fencing, alarm system and a CCTV system will discourage unauthorised access to the site.
- 2.24 The landscaping consists primarily of native woodland and hedgerow on the boundaries of the site including a SUDs Pond, covering an area of around 875m². This soft landscaping includes all the area outside the security fencing

but within the application boundary with the exception of access tracks. This will reduce and 'soften' the potential visual effects of the site, as viewed from areas to the north, south and west.

- 2.25 The site is adjacent to Hipsey Spinney, a County Wildlife Site and an area of Ancient Woodland. A 30m buffer between the site and Hipsey Spinney to the southwest will remain undeveloped. This land is currently used as arable farmland and will be planted with species rich grassland, native trees and hedgerow. The CBC Tree Officer and Ecologist have been consulted as part of the application and offered no objection subject to conditions.
- 2.26 The avoidance of any development in this area will prevent any potential effects on the existing trees including their roots and will provide additional woodland edge habitat for any locally present species such as hedgehog, hare and badger. The proposed woodland and hedge planting will utilize appropriate native species and it is proposed that the full approval of the details of the planting and its maintenance and management are to be agreed through planning conditions. Open areas within the security fence which are not required for operational reasons will also be planted with an appropriate wild flower meadow mix to be agreed via planning condition.
- 2.27 The proposed scheme will be connected to the existing Sundon Substation approx. 600m to the South of the site. The connection will take the form of underground cabling and the route will be subject to National Grid advice and be carried out by the statutory undertaker and so is not included in this application.
- 2.28 The siting of the battery storage area is not level, but within a bowl and so the proposal will include some cut and fill as well as dividing the site internally by a number of low gabion walls. These would be up to 1m high and 1m wide and would be encouraged to naturally revegetate to soften their appearance and provide additional habitat. The proposed level changes would be considered acceptable and would not appear out of character with the local topography.
- 2.29 The access track crossed the River Flit at an existing substantial agricultural bridge. This has been designed to accommodate movements of large agricultural machinery and is considered suitable for construction traffic. If necessary, however, a temporary bridge would be placed directly on to the existing bridge during construction, as is common practice during construction work. Details of this, if required, would be provided in the Construction Environmental Management Plan (CEMP), which has been conditioned.
- 2.30 A crash protection barrier would be installed along the corner of the south east boundary of the site from the M1 in order to address National Highways concerns. The final details of the design of this barrier are to be dealt with via condition with consultation with National Highways.
- 2.31 There will be no permanent lighting within the site, however there will be motion-sensitive lighting at entrances and around the buildings and storage units. The lighting will be downward facing to limit light spill and full details of the lighting will be secured by condition to ensure there is no unnecessary light pollution nor impact upon protected species.

- 2.32 An acoustic fence will be erected during the construction phase of the development along part of the access road that shares a boundary with Cowbridge Farm. This was not requested by the pollution officer but by the occupiers of Cowbridge Farm in order to restrict the noise impacts of large vehicles. The fencing would be 4m high and would appear out of character in this otherwise open countryside setting. However as they are temporary and a condition would be attached requiring their removal within three months of construction ending, the harm is limited and on balance acceptable.
- 2.33 It is acknowledged that there are a number of other battery storage schemes as well as other renewable energy projects within the local area. The cumulative impact of the battery storage on the setting of the site is a consideration. However, having regard to the topography of the site, the suitability of the landscaping proposed and the existing character of the site, it is not considered that the cumulative impact would be detrimental.
- 2.34 It is acknowledged that the proposed landscape planting to the boundaries of the sites would provide some mitigation and reduce the visual prominence of the sites within closer views, in addition the impact would be temporary for a period of 50 years at which point the development will be de-commissioned and the land returned to a natural state. The proposal would also create green infrastructure connections in and around the site and alongside the access track.
- 2.35 Nevertheless, it is considered that the proposal would result in some harm to the character and appearance of the area and to the rural landscape character both alone and cumulatively with similar approved developments within the vicinity of the sites. As such the proposal is considered to conflict with Policies HQ1 and EE5 of the CBLP and Chapters 12 and 15 of the NPPF and this is a matter which weighs against the proposal.

3. Neighbouring Amenity

- 3.1 Policy HQ1 of the local plan seeks to ensure that residential amenity is not adversely affected in terms of amenity, privacy, noise or air quality.
- 3.2 Due to the siting of the proposed battery facility, there would be no unacceptable loss of outlook, privacy, light nor would it cause an overbearing impact on any residential property.
- 3.3 The proposed access to the site (including the construction access) will run adjacent to Cowbridge Farm along an existing farm track. No concerns were raised by the Pollution Officer in this regard however an agreement has been made between the occupiers of Cowbridge Farm and the applicant to erect acoustic fencing along the shared boundary with the access road during the construction period to protect their amenity. Once construction is complete, the fencing would be removed as vehicle access to the site would typically be one or two vehicles per week.
- 3.4 A noise assessment was submitted with the application, however given the high levels of background noise from the M1 and the distance between the project and the closest sensitive residential receptor, which is the property at Cowbridge Farm, 765m to the west, potential noise from the project is not

anticipated to exceed current background levels at the nearest sensitive receptor under any circumstances. The CBC Pollution Officer offers no objection to the proposal on this basis.

- 3.5 The proposal is therefore considered to accord with Policy HQ1 and CC8 of the CBC Local Plan in terms of impact to residential amenity.

4. Highway Considerations

- 4.1 Access to the facility (both for construction and operational) would be via the existing agricultural access from the B530, which runs to the south of the nearest residential dwelling known as Cowbridge Farm. The application originally showed access being taken from the M1 through Toddington Services Northbound, however following consultation with National Highways the access road was amended to come from the B530.

- 4.2 The B530 is a reasonably rural road which benefits from a national speed limit of 60mph. The existing access will require widening at the junction with the B530 as well as the immediate part of the access road to allow for two way movement of HGVs into the site from the B530. The initial track would measure 6m in width, reducing to 4m with passing places provided along the access road to allow for two vehicles to otherwise pass. Parts of the existing hedgerow fronting the B530 will need to be removed or trimmed back to provide access and visibility. A speed survey has been submitted with the application to confirm that the visibility splays are sufficient. Replacement hedgerow planting along part of the access track and fronting the B530 is proposed and will be planted a sufficient distance back so not to infringe on the visibility splays for public highway.

- 4.3 The main source of traffic would be during the construction phase (expected to be 8 months) with the supporting statement indicating that post development the site will generate one or two vehicles per week. Construction traffic to / from the site is proposed to route via Junction 12 of the M1 and then along the B530 to avoid routing through the village of Chalgrave. Following the initial construction stage, access to the sites will be limited to general maintenance and management and the provision of relevant security. The Highway Officer is satisfied that this level of traffic would not have an unacceptable impact on the highway network subject to conditions that include a Construction Traffic Management Plan.

- 4.4 Three car parking spaces are provided (one disabled) and there will also be a gate to allow for any visits by foot or cycle to access the site. A condition requiring EV charging details has been attached.

- 4.5 Due to the positioning of the site adjacent to the M1 consultation has been carried out with National Highways. National Highways originally objected to the access to the site from the M1. Access to other developments through a roadside facility on the Strategic Road Network is not permitted (ref DfT Circular 01/2022, para. 92). Once this was amended issued a holding objection on the application and requested the provision of further information in the form of risk assessments due to the proximity of the M1 and the site. Following receipt of a risk assessment National Highways have confirmed that they have no objection to the proposal subject to conditions. The wording of these conditions will be updated on the Late Sheet.

- 4.6 It is therefore considered that the proposed access benefits from suitable visibility to facilitate the intended traffic movements, both during the more intensive construction and de-commissioning stages and throughout the lifetime of the development. The level of traffic movements on to and from the are also not considered to be sufficient to result in any significant impact relating to highway capacity.
- 4.7 Subject to the measures set out being secured via conditions the Highways Officer has confirmed that they have no objection to the revised highways access proposals from B530 in terms of highway safety and capacity. As such the proposal is considered to be acceptable in this regard in accordance with policies T1, T2 and T3 of the Central Bedfordshire Local Plan.

5. Other Considerations

5.1 Fire

- 5.2 Concerns have been raised by Parish Councils in terms of fire.
- 5.3 There have been incidents of fires at battery storage plants (the only known one in the UK was in Liverpool in 2020), however the agent has advised that these have occurred in respect to older technologies and designs. The current project has been designed and will be implemented to include embedded monitoring and control systems, safety measures and fire extinguishing systems, as outlined in the application. The agent has confirmed that the Applicant recognises that there are several international and UK standards that Battery Storage Systems have to conform with, and that these standards must be fulfilled by equipment suppliers, as will be the case with this proposal.
- 5.4 The battery units within the site would be installed as 1,360 separate energy storage cabinets, installed as 68 blocks of twenty, at a separation distance recommended by the National Fire Chiefs Council. The separation distance has been designed to prevent any spread of a potential fire between blocks.
- 5.5 The site layout also now includes a second access point at the southern end of the site, providing two potential entry and exit points to the site for the fire service, at each end of the site, again to accord with the National Fire Chiefs Council BESS guidance.
- 5.6 The individual battery units would be housed in steel enclosures, and each will include automatic fire detection, venting and fire extinguishing systems. The battery units would be monitored around the clock by human operators at a control centre, with individual energy cells, temperatures, states of charge of the system, along with any communication losses, all being monitored by the battery management system, and alarms issued should the system operate outside of normal tolerances. Any malfunction or thermal issue would therefore be immediately detected, and the relevant component(s) shut down instantly, pending a visit by a site operative.
- 5.7 The applicant has confirmed that the final products used on site would be a design in accordance with National Fire Chiefs Council compliance.

- 5.8 In the event of a fire within an individual cabinet, a venting system would also prevent any flammable gases from building up, assisting with fire fighting, and preventing any potential risk of explosion from combustion products when exposed to the air.
- 5.9 The Bedfordshire Fire and Rescue Service have noted that there are no fire hydrants in the area around the site and no mains water supply suitable for the provision of fire hydrants. They have requested that the developer must agree a plan for the provision of fire fighting water and Fire and Rescue Service access with the Service, and that the developer must take into consideration all aspects of the guidance on this type of site that has been provided by the National Fire Chiefs Council. The Applicant will enter into a Fire Response Plan with the Bedfordshire Fire and Rescue Service, as is the case for all sites of this nature, however this is not a planning matter but a matter to be considered under Building Regulations.
- 5.10 The site will include on-site water storage in the form of an underground reservoir and the proposed attenuation pond to the northwest of the site, as shown on the plans. The underground reservoir would have a capacity of circa 1,000,000 litres, with an additional minimal volume of at least 750,000 litres provided by the proposed attenuation pond. The latter figure assumes that the pond is never less than half full, and it will be lined to ensure that this is the case in practice.
- 5.11 In the event of a fire requiring quenching and extinguishing using water, fire water contaminated by combustion products could potentially cause pollution. However the proposal has been designed with an emergency waste-water storage system with a volume of over 1,000,000 litres, which would intercept and contain any contaminated water within the site, preventing it from potentially flowing from the site and into the nearby River Flit.

5.12 Ecology

- 5.13 The application is supported by an Preliminary Ecological Appraisal (PEA) and addendum. The site has a number of County Wildlife Sites (CWS) within a 2km radius of the site that includes Hipsey Spinney (which is adjacent to the site) and Woodcock Wood. There are also a number of Sites of Special Scientific Interest (SSSI), the closest being approximately 680m to the south of the site known as Fancott Wood and Meadows. These sites have been identified and considered within the PEA.
- 5.14 The PEA has considered a number of protected species and identified the presence of a badger set in Hipsey Spinney and, as a result of this, the proposal includes a 30m landscaped buffer between the developed site and the edge of Hipsey Spinney. This buffer has removed any requirement for additional pre-determination badger survey work and confirmation has been made by the agent that landscaping works to the buffer zone will not be carried out by large scale machinery that could impact upon any badger sets (it is also acknowledged that this area is currently heavily farmed with large scale machinery and so planting the proposed landscaping by hand would not result in any additional impact).

- 5.15 The new woodland will consist of tree species native to the UK and will be of a similar species mix to those present in Hipsey Spinney, with woodland edge scrub and shrub species being used to soften the transition.
- 5.16 The PEA also identified potential habitat suitable for amphibians and reptiles around the site, particularly along the western edge of the M1. The design of the site has sought to avoid these areas, and the developed footprint of the scheme lies entirely within a single large arable field of low ecological value, again negating any requirement for additional pre-determination surveys. Works on the site will be subject to a precautionary working method statement to minimise risks to any amphibians that will be secured by condition. Rubble and wood piles will be created to provide refugia for reptiles and amphibians around the development area. These will be 2m in length and 1m in height and will be topped with soil and turf.
- 5.17 During the course of the application, the proposal has been amended to include a strip of arable land between the access track and the River Flit. The application proposes to restore and manage this as species rich meadow. This area of restored meadow extends to an area of 5,969m² and will provide a 'buffer' between the intensively cultivated arable land to the east and the river, helping to reduce the flow of pesticide and fertiliser residues into this section of the Flit.
- 5.18 Other Landscaping measures proposed includes 0.74 hectares of tree planting and over 450m of hedgerow planting and the creation of species-diverse grassland the final details of the landscaping as well as it's maintenance and management will be secured by condition.
- 5.19 A balancing pond will be integrated into the Site design in the northwestern part of the site corner of the Site which will deliver a further ecological enhancement.
- 5.20 Details of an Construction Ecological Management Plan (CEMP) will be secured by condition, however within the PEA it sets out that the CEMP will include (but not limited to):
- Construction fencing will be suitably designed to allow nocturnal species such as badger and hedgehog to pass through the Site.
 - The use of closed panel fencing around the operational Site will be avoided, or gaps of at least 130 x 130mm will be installed to allow the passage of hedgehog.
 - No trenches or holes will be left open overnight without suitable means of escape.
 - Offsite vegetation would be protected by temporary fencing during construction
- 5.21 The proposal will not have permanent lighting, and any lighting installed would be down lit to ensure that it would not have an unacceptable impact upon bats. At least 5 bat boxes and 5 bird boxes will be installed within the application site to provide increased roost and nest provision within the area, and a number of refugia for amphibians and reptiles will also be created. These details will be secured via condition.
- 5.22 The Councils Ecologist has been consulted on the proposal and has raised no objection on the basis of Ecological impact subject to conditions.

5.23 Given the above it is considered that the application accords with policy EE3 of the CBLP and Chapter 16 of the NPPF in this regard.

5.24 - BNG

5.25 The provision of Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990. In accordance with the Act, developers must deliver a BNG of 10%. Where proposals are shown to be exempt from requiring a 10% BNG, the adopted Central Bedfordshire Local Plan also requires the provision of a net gain in biodiversity with Policy EE2.

5.26 The application was submitted prior to the 12th February 2024 and so the development is not required to provide a 10% BNG, however the proposal does result in a gain to BNG in accordance with Policy EE2. Although it is evident that a gain will be provided on site, the specific details have not been provided within this proposal but will be secured via a condition. As a result, the development would be in accordance to the NPPF and Policy EE2 of the adopted Local Plan.

5.27 Flood Risk and Drainage

5.28 The application is supported by an appropriate flood risk assessment and drainage strategy.

5.29 The entirety of the application site is located within flood zone 1 and as such are not identified as being at any increased risk of fluvial flooding. However, the site does include small areas identified as being at some increased localised risk of surface water flooding.

5.30 The Councils Drainage Officer has been consulted on the proposal and has raised no objection subject to a condition securing the final design of the Suds scheme including its maintenance and management. The officer has confirmed that the submitted documents clearly outline how the development will effectively manage surface water flows without increasing the flood risk on or off-site through the use of an attenuation basin, perimeter drainage, permeable surfacing and a planting framework mitigation. The design of the sites places the most critical infrastructure, in the form of the inverter stations, battery storage and substations in areas of lowest flood risk and proposes additional drainage/mitigation measures to ensure they are protected from any localised surface water.

5.31 The site slopes downward to the northwest so any surface water would be drained away from the site and away from the M1 to the east, towards the River Flit. Any overflow from the proposed pond would discharge into the River Flit via a new field drain to be constructed beneath the western access track.

5.32 Given the above it is considered that the proposal would not result in any increased flood risk and suitably manages drainage from the site. As such the proposal is considered acceptable in this regard.

5.33 Between the River Flit and the existing agricultural track, buffer planting in form of riparian meadow mix will be planted which will aid in limiting the runoff of pesticides and herbicides used in the agricultural fields, thus resulting in a benefit to the river habitat. The existing agricultural track crosses the River Flit

and the existing bridge has been designed to take the weight of large agricultural vehicles, therefore no further works are expected to be carried out on or over the river itself. The proposal otherwise is not considered to result in any unacceptable impacts upon the river network including additional flood risk.

5.34 The IDB has been consulted as part of the proposal and has advised that separate consent is required from the Board, however this is not a planning matter. The Environment Agency has also been consulted and have offered no comments.

5.35 - Hydrocarbon / Coolant Containment

5.36 Parts of the proposal will require coolant and lubricants and so bunding has been included which will have concrete, lined earth embankments or containment walls with 110% capacity similar to those at traditional substations. The bunds will have penstock to ensure that if a leak occurs, the liquid can be contained and isolated away from the drainage system. The final design and this system and the final Suds scheme will be conditioned.

5.37 The proposal is considered to accord with Policies CC3, CC4, CC5 and CC6 and CC8 of the CBC Local Plan.

5.38 Foul Water

5.39 The proposed development would be connected to the public water supply but would not require a connection to the sewage network. An appropriate volume of water for any fire-fighting purposes will be available within the site from the attenuation pond. The electrical control building would be equipped with a small washroom including a chemical toilet, whilst potable water for hand washing and other uses would be transported on to the site during standard maintenance visits.

5.40 The proposal is considered to accord with Policies CC6 and CC7 of the CBC Local Plan.

5.41 Public Rights of Way

5.42 The proposal has a number of Rights of Way that run adjacent or near to the proposal site.

5.43 Policy EE12 of the CBLP seeks the provision of a Rights of way scheme for major development which include or are adjacent to PRow's to demonstrate how the development will protect and enhance PRow's

5.44 No rights of way are physically impacted by the proposal and the Rights of Way Officer has offered no objection to the proposal.

5.45 The local network of public rights of way around the site have been assessed with regard to the extent to which users of the routes would be able to see the proposal, once constructed.

- 5.46 The most significant route, in terms of assumed usage is the Icknield Way National Trail (BW2) which runs east to west 500m to the south of the site and crosses the M1 just to the north of Sundon substation. There is not expected to be any visibility of the proposal from the Icknield Way due to the screening effects of existing woodland and hedges, including the elevated stretch crossing the M1.
- 5.47 Footpath (FP46) linking Chalton to the south with Toddington to the west of the proposal, via Cowbridge Farm, which runs to the west of Woodcock Wood is similarly screened from the battery storage site by topography and woodland. The access track would be visible, however there is already a hard surfaced agricultural track in the same position and so there would be no additional impact. The widened access will impact upon where the RoW crosses the B530 and so a condition has been attached to secure details of this crossing point.
- 5.48 A third footpath (FP47 and FP2) runs in a north westerly direction from the point where the Icknield Way crosses the M1 to join the Chalton to Toddington path just east of Cowbridge Farm. There would be no visibility of the proposal from this path, again due to existing screening, apart from an elevated stretch around 270m in length between Hipsey Spinney and Woodcock Wood, 500m to the west of the proposal. From this stretch of the PROW network, there would be clear visibility over the proposal towards the Sundon Hills, east of the M1. The view also takes in the Toddington Service Station and is bisected by the M1. The proposed hedgerows and woodland screening around the site would, as it matures, screen the proposal from this part of the PROW network, appearing as a northern extension of Hipsey Spinney.
- 5.49 Given the topography and landscaping around the site, and considering the existing urban forms around the area, views from other PROW around the site would not be unacceptably impacted by the proposal.
- 5.50 Given the above it is considered that the proposal would comply with Policy EE12 and as such the proposal is considered to be acceptable in this regard.

5.51 Archaeology

- 5.52 The application is supported by an Geophysical Report and the proposed development site lies within a documented archaeological landscape.
- 5.53 The Councils Archaeologist has confirmed that there should be no archaeological constraint to the granting of any permission subject to pre-commencement conditions that include a Written Scheme of Archaeological Resource Management and trial trench evaluation. The subject of these works will require written archaeological reports and may require further works on site if archaeological remains are found.
- 5.54 The proposal is considered to accord with Policy HE1 of the CBC Local Plan and Chapter 16 of the NPPF.

5.55 Loss of Agricultural Land

- 5.56 The application site forms part of a significant agricultural holding, the NPPF states in paragraph 180 (b) that planning decisions should recognise the intrinsic beauty of the countryside including the economic and other benefits of best and most versatile agricultural land...
- 5.57 Policy DC5 of the CBLP sets out that development that would result in the significant loss of Grades 2 and 3a agricultural land will only be permitted where; it can be demonstrated that the location of the proposed development is necessary in order to provide a scheme that is of a valuable public benefit that overrides the need to protect the land and that when considering the loss the quantum of BMV land in the surrounding area should also be considered. The application site falls on agricultural land classified as Grade 3 which can be considered as best and most versatile.
- 5.58 The proposal would result in the loss of 4.8 hectares of agricultural land which forms 2.5% of the existing agricultural holding of the land owner which would not represent a significant loss in terms of scale or economic value. It is noted that Natural England requires consultation where more than 20ha of BMV land is lost, and this proposal does not meet this threshold.
- 5.59 The planning statement also sets out that the proposal would see the reversible development of just over 2ha of arable land, and the conversion of an additional area of just over 2.8ha of arable land to new habitat consisting of native woodland, 450m of hedgerows and species rich grassland. This will deliver a significant net biodiversity gain within the application boundary.
- 5.60 It is considered that relevant evidence has been provided to justify the location of the proposed development and as set out throughout this report the application is considered to result in substantial public benefits in the form of energy storage and a reduction in CO2 emissions and this it is considered that the valuable public benefits in this case override the need to protect the Grade 3 land. It is also noted that the Natural England agricultural land classification map for the east of England identified significant Grade 3 (Good to Moderate) and some Grade 2 (Very Good) land throughout much of the Central Bedfordshire countryside including all of the agricultural land within the locality of the application site. As such it is considered that the quantum of BMV land lost would not be detrimental or significant in the context of available agricultural land throughout Central Bedfordshire.
- 5.61 Given the above, whilst the loss of BMV land would be a negative impact the weight attributed to this is limited given that the proposal is considered to accord with Policy DC5 of the CBLP in this regard.

5.62 Parish / Town Council and Third Party Comments

- 5.63 The comments of the various Parish and Town Councils. A majority of the points raised by those parties have been addressed within the relevant sections of this report above.

5.64 Whilst it is noted that the Councils adopted Central Bedfordshire Local Plan does not allocate specific sites for renewable energy development it does include Policy CC2. Policy CC2 sets out the Councils in principle support for energy development providing the listed criteria are complied with. In addition the Council also adopted its own Sustainability Plan in September 2020 and updated in September 2024 which provides further strategic guidance on the provision of renewable energy projects. As such whilst the Authority has not specifically identified suitable sites for renewable energy projects it does have relevant strategic policies and guidance which support such developments. Within the updated Sustainability Review it does set out that a Local Area Energy Plan will be developed that strategically identifies key opportunities to facilitate investments in renewable energy infrastructure. This is intended to be carried out by 2027 in conjunction with the new Local Plan. However there are concerns about the longevity of such a strategy across the entire plan period especially given the speed of changes in technology.

5.65 Whilst each application must be dealt with on its own merits, the cumulative impact of renewable development within the vicinity of the Sundon Sub Station at Toddington, Chalgrave, Tilsworth and Hockliffe is noted and has been considered within the relevant section of this report above.

5.66 Referral to the Secretary of State

5.67 Members are advised that if they resolve to approve this application, the Council are required to give the Secretary of State the opportunity to call in the application as it is a major application for inappropriate development in the Green Belt.

5.68 Human Rights and Equality Act issues:

5.69 Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

5.70 - Accessibility

5.71 The proposal has been designed to be accessible to visitors with disabilities. The site will include three parking spaces, one of which will be a disabled space.

5.72 The site access gate will have an entry and exit control system that can be operated by visitors arriving on foot or by vehicle.

5.73 The proposed electrical control building, site office and site store will be wheelchair accessible meaning that areas of the site, which need to be accessed during the majority of maintenance and monitoring visits, can be accessed by wheelchair users and others with mobility issues.

5.74 EIA

5.75 Consideration has been given to the Environmental Impact Assessment Regulations 2017 and it has been determined that an Environmental Impact Assessment is not required for the proposed development.

5.76 Codes of Practice:

5.77 The Council has adopted a Construction Code of Practice for Developers and Contractors and an Environmental Code of Practice in order to minimise the impact of construction work on residents who live near to development sites and the environment. The applicant has agreed to comply with the requirements of the Code, and compliance will be secured by condition.

6. Very Special Circumstances & Planning Balance

6.1 As set out above, the proposal is considered to constitute inappropriate development in the Green Belt. Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, harm has been identified to both the visual and spatial openness of the Green Belt as a result of the proposal.

6.2 Paragraph 153 goes on to state that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.3 Other harm identified as a result of the proposal has been set out within this report and is summarised as follows:

- Harm to the character and appearance of the area and wider landscape character, including the glimpsed views from part of the local rights of way networks
- The cumulative impacts of other renewable projects within the vicinity
- Temporary loss of BMV agricultural land.

6.4 It is considered that all other planning impacts identified by the local community have been fully addressed, either because no harm has been identified in relation to those impacts, or because appropriate mitigation has been identified.

6.5 The following very special circumstances are considered to be relevant to this application.

6.6 1. The Applicant has secured relevant export and import capacity at the existing Sundon National Grid Substation, to make the most of such a connection the battery storage must be in close proximity to the substation. Virtually all of the land within the circle described by a radius the length of the straight line between the site and the Sundon NG facility is either Green Belt or urban. As such it is considered that the proposed sites offer the most suitable sites for battery storage provision within the relevant proximity to the existing substation.

6.7 2. The proposal, provides significant on site storage, providing control to allow power supply at times of peak demand. It is considered that such energy security would assist the national objectives set out in EN-1.

- 6.8 3. The proposed development would be capable of exporting approximately 240MW of power an hour. It is expected that the battery storage site would result in a CO2 emissions saving of between 10,347 and 16,181 tonne's per year when displacing conventional fossil fuel generation which would contribute towards national and local 'Net Zero' carbon reduction targets. This saving equates to the annual electricity use of 11,683 average homes.
- 6.9 4. The battery storage site would be operated for a period of 50 years from the date of first import after which time all infrastructure would be removed and the land returned to its current condition. As such, any impacts associated with the proposed development would be temporary and completely reversible compared to the irreversible harmful effects of climate change. The lifespan of the development and appropriate decommissioning will be secured via condition.
- 6.10 5. The proposed development would deliver a net gain in biodiversity(although the exact percentages are yet to be confirmed) across the site against a baseline of its current agricultural usage. Such measures proposed include native tree and hedgerow planting, native woodland planting, the creation of species-diverse grassland, bird and bat boxes.
- 6.11 6. The proposed development will generate a range of economic benefits both in terms of its construction and operation, generating jobs for installation, maintenance, and its eventual decommissioning.
- 6.12 In assessing the applicant's VSCs case, great weight is placed on the national advice within the NPPF. This national advice is clear that whilst many renewable energy projects will comprise inappropriate development in the Green Belt, VSCs in such cases may include the wider environmental benefits associated with increased production of energy from renewable sources. As mentioned in Section 1, there is significant support for renewable energy, which is set out through national and local planning policy, and also through additional legislation in the form of the UK Renewable Energy Strategy (July 2009) which sets a renewable energy target of 15% of total energy to be generated from renewable sources by 2020. In addition to this the Climate Change Act 2008 makes binding the need to cut UK greenhouse gas emissions by 100% by 2050.
- 6.13 Therefore, the presumption in favour of developments for renewable energy carried by the NPPF are attributed significant weight in that regard. Paragraph 157 states: *That the planning system should support the transition to a low carbon future in a changing climate.* This national advice states further that, in Paragraph 163 that '*when determining planning applications, Local Planning Authorities should, ...approve the application if its impacts are (or can be made) acceptable.*
- 6.14 The VSCs presented by the applicant which attempt to clearly outweigh the harm to the Green Belt focus on the benefits the proposed development would bring in terms of renewable energy. The proposal can export up to 240MW of power to the grid per hour, reducing CO2 emissions by 10,347 and 16,181 tonne's per year. This is considered to be a significant benefit, which would weigh heavily in favour of the proposed development and makes a significant contribution towards the Local and National commitment to reducing harmful CO2 emissions. Therefore, this is considered to form a VSC which is afforded significant weight.

- 6.15 The applicants VSCs include reference to the fact that proposals for battery storage development are temporary for the fixed period of time, and therefore the impacts are reversible. This is a matter which is attributed some weight.
- 6.16 In addition the proposal would result in other benefits including a net gain in biodiversity and economic benefits associated with the construction, operation and eventual decommissioning of the site.
- 6.17 Given that there is strong support for the move towards renewable energy and that there are both national and local policies and aspirations to reduce CO2 emissions, it is considered that in this case, the proposal has the 'in principle' support of the NPPF and PPG. The National Energy Statements and other government publications are material considerations which add weight to the case in favour of the proposal. So too is the fact that the development is estimated to reduce CO2 emissions into the atmosphere. However, for the purposes of clarity these are not considered to constitute VSCs in their own right.
- 6.18 It is considered that the proposal would broadly conform with Policy CC2 of the Central Bedfordshire Local Plan given that harm has been identified to the landscape and visual amenity from PROW, however the harm would not be considered adverse, nor is landscape considered "sensitive".
- 6.19 The planning balance for this application requires a determination as to whether very special circumstance exist, having regard to Green Belt policy. It is considered that the package of public benefits summarised above, with particular regard to the substantial environmental benefits, would clearly and demonstrably outweigh the identified harm to the Green Belt, landscape character, and the identified conflict with the Central Bedfordshire Local Plan and would therefore constitute very special circumstances. The proposal would thus conform with Section 13 of the NPPF, which requires the identified harm to be clearly outweighed by public benefits to be acceptable.
- 6.20 Planning law requires all that planning applications are determined against policies within the Development Plan unless material considerations indicate otherwise. Having assessed the proposals against the policies within the Development Plan, the proposals would broadly accord with Policy CC2 whilst conflicting with those protecting the natural environment. However, while the development would constitute inappropriate development within the Green Belt; the benefits of the scheme would clearly outweigh the harm caused to the Green Belt as well as the other harms identified.
- 6.21 Therefore, officers consider that whilst there is conflict with the Development Plan, the public benefits of the scheme would outweigh the harm resulting from the development and constitute very special circumstances justifying the development. When making a decision, the Development Management Committee will need to make judgement on the balance of the public benefits against the harm caused by the development.

Recommendation:

That Planning Permission be GRANTED

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place relating to the erection of any buildings or the siting of the proposed containers, notwithstanding the details submitted with the application, until details of the final roof design and materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality. (Section 12, NPPF)

- 3 The permission hereby granted shall endure for a period of 50 years from the date when electricity is first Stored on site(the 'First Import Date'). Written confirmation of the First Import Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event. Within 6 months following the completion of the 50 year period, or the cessation of their use for electricity storing purposes, whichever is the sooner, the battery units together with any supporting buildings, structures apparatus, cabling, foundations, transformer, fencing, CCTV cameras and other associated equipment shall be removed from the site and the land restored to agricultural use or to a condition to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is de-commissioned and the land returned to its original use prior to the development in the interest of preserving the openness of the Green Belt and countryside.
(Sections 12, 13 and 15, NPPF)

- 4 No development shall take place above slab level until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Sections 12 & 15, NPPF)

5 **Part A: No development shall take place until a Written Scheme of Archaeological Resource Management (WSARM), has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme and the WSARM shall contain the following components:**

1. a method statement for an archaeological trial trench evaluation including details of post-excavation analysis, reporting and archiving.
2. a method statement for the preservation *in situ* of any archaeological remains that cannot be fully investigated (if appropriate)
3. method statement for the investigation of any archaeological remains found during the investigation which cannot be preserved *in situ*.
4. a method statement for post-excavation assessment, analysis, archive preparation and publication, including details of the timetable for each stage of the post-excavation works.

Should the trial trench evaluation produce evidence of archaeological remains that require further mitigation, Items 2, 3 and 4 of Part A of this condition will be finalised on the approval of the trial trench evaluation report. The updated WSARM for the works will then be approved by the Local Planning Authority before any further fieldwork or development is undertaken. Should no further archaeological investigation be required it will not be necessary for the WSARM to be amended and the applicant or developer can proceed with completing the work to discharge Part B.

Part B: This condition shall only be fully discharged when:

1. all elements of the archaeological fieldwork have been undertaken and the date of completion has been confirmed in writing by the Local Planning Authority
2. a final archaeological report or (if appropriate) a Post Excavation Assessment report and an Updated Project Design has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 18 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority.
3. the post-excavation analysis as specified in the approved Updated Project Design (if one is prepared) has been completed.
4. the preparation of the site archives (including the completion of the archive report) for deposition at stores approved by the Local Planning Authority has been undertaken and confirmed in writing by the Local Planning Authority. For the digital archive this will include confirmation of the intention to deposit with a CoreTrustSeal certified repository dedicated to storing archaeological archives.

5. the publication report text has been prepared for submission to a recognised archaeological journal or an approved final report is submitted to the Historic Environment Record, and this has been confirmed in writing by the Local Planning Authority.

Unless otherwise agreed in advance in writing by the Local Planning Authority, items 3, 4 and 5 of Part B of this condition shall be completed within 3 years of the archaeological fieldwork date of completion. Should the project not warrant the production of a Post Excavation Assessment Report and Updated Project Design (Item 2 of Part B), Item 5 of Part B can be completed on the approval of the final archaeological report.

Reason: In line with policy HE1 of the Central Bedfordshire Local Plan 2015-2035 (adopted July 2021) and paragraph 211 of the National Planning Policy Framework (July 2021): to investigate and record any archaeological remains affected by the development, to safeguard the long-term future of the archive and to make the record of all the work publicly available. Part A of this condition is pre-commencement because development works can have an irreversible impact on archaeological remains and an approved programme of investigation must be in place before the development starts.

- 6 **Development shall not begin until details of the junction between the improved access track and the public highway have been submitted to, and approved in writing by, the Local Planning Authority.**

Reason: To ensure adequate highway safety (Policy T2 of the CBC Local Plan).

- 7 **No development shall begin until the junction between the improved access track and the highway as detailed within the approved plans to be agreed in condition X has been constructed in accordance with the approved details, amended as necessary by the technical and safety audit process, and opened to traffic.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 8 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 9 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 25m into the site, measured from the highway boundary, before the premises are occupied. Arrangement shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

10 The surface water drainage shall be constructed to manage surface water runoff from the development for up to and including 1 in 100 year event (+40%CC), via attenuated discharge to an existing watercourse. The final detailed design shall be based on the agreed FRA and DS (Ref; Raincloud, 070, Feb2024, V1) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval. The discharge rate from the development will be limited to the equivalent QBar rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards. The applicant should address the following points 1 to 4 when submitting details to discharge the condition:

1. Permeable block paving should be laid to CIRIA C768 "Guidance on the construction of SuDS" guidelines. This guidance also stipulates following Interlay guidance.

2. The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).

3. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

4. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with CBC Local policy CC3 to CC5 and NPPF Paras 165 to 175 Inclusive of foot notes 59 and 60 and its supporting technical guidance.

11 Prior to development, a Tree Protection Plan and an Arboricultural Method Statement shall be submitted to the Local Planning Authority for approval, based on the findings of the supporting document "Arboricultural Survey to BS 5837 : 2012", dated 25th May 2022, as prepared by Arbtech, which includes Appendix 2 "Schedule of Trees" and Appendix 3 "Tree Constraints Plan" (Sheets 1-9 inclusive). The Tree Protection Plan shall also

acknowledge the 15m buffering requirements to be secured around the outer perimeter of Woodland W1. The approved Tree Protection Plan and Arboricultural Method Statement shall then be implemented in strict accordance with the required sequence of operations, with all tree protection barriers remaining securely in position throughout the entire course of development.

Reason: To ensure that a secure Construction Exclusion Zone is maintained around all existing trees and woodland in accordance with good arboricultural practice, and all Ancient Woodland protection requirements.

12 **No development shall take place until a scheme for the provision of the affected public right of way has been submitted to and approved in writing by the Local Planning Authority. This will include:**

- **Cross sections showing the design of Public Rights of Way (widths, adjacent landscaping and fencing, any drainage or surfacing).**
- **Timescales for implementation**
- **Proposals for the temporary closure/diversion of any public right of way for any works; where possible providing dates/timescales which give the Council not less than 6 weeks notice of any start date.**
- **Include relevant details of surfacing through the site.**
- **Ensure that the impact on equestrians, cyclists and walkers is taken into account.**

The provision of details of the Public Rights of Way crossing point information should be included with the scheme and implemented in accordance with the approved details within the timeframe to be specified in the approved details.

Reason: In the interests of the amenity of pedestrians and other users and to ensure safety of users is not compromised

13 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment and CCTV equipment to be erected. The boundary treatment and CCTV equipment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12 and 15, NPPF)

14 **No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.**

- **Risk assessment of potentially damaging construction activities.**
- **Identification of "biodiversity protection zones"**

- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect features of recognised nature conservation importance.
(Section 15, NPPF)

15 No development shall commence until a Biodiversity Net Gain Plan has been submitted to and approved in writing by the local planning authority. The Biodiversity Net Gain Plan will provide a plan detailing how habitats will be enhanced, created, secured, managed and monitored for 30 years to achieve a net gain. The Biodiversity Net Gain Plan shall be supported by up to date survey work and include the following:

- Details of the off-site area to be used, including maps and plans;
- An updated biodiversity metric showing a net gain;
- Description and evaluation of the features to be managed;
- Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery;
- Aims and objectives of the management plan, and appropriate management options for achieving aims and objectives;
- Ecological trends and constraints on site which might influence its management;
- A work schedule including planting and an annual work plan capable of being rolled forward over a 30-year period;
- Details of the body or organization responsible for implementation of the plan; and
- Ongoing monitoring and remedial measures, including details of how the monitoring will be shared with the Local Planning Authority. Include a long-term management plan with details of monitoring and remedial actions to be taken if enhanced or created habitats fail to attain the desired level of condition within predicted timescales.

Reason: To provide a Biodiversity Net Gain (Policy EE2 of the CBC Local Plan)

- 16 The development hereby permitted shall not be occupied or brought into use until the details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and its surrounding area and any protected species.
(Section 12 and 15, NPPF)

- 17 **No development shall commence until details of the acoustic fencing as shown on Plan No. EW/10/19A are submitted and approved by the Local Planning Authority. The approved fencing shall then be erected prior to commencement of works and it shall be retained as approved for the duration of the construction period. Within three months of the proposed development being operational, the fencing shall be removed from site.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality whilst protecting neighbouring amenity.
(Section 12, NPPF)

- 18 The access shall remain ungated, or in the event that gates are proposed, any gates provided shall open away from the highway and be set back a distance of at least 20.0m metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.

- 19 The development hereby permitted shall be undertaken in full accordance with the Council's adopted 'Construction Code of Practice for Developers and Contractors'
https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes_of_practice_for_planning.

Reason: In order to minimise the impact of construction work on the amenities of nearby residential properties (Section 12, NPPF)

- 20 **No development shall take place, including any works of demolition, until a Construction Traffic and Environmental Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**
- 1. The parking of vehicles**
 - 2. Loading and unloading of plant and materials used in the development**
 - 3. Storage of plant and materials used in the development**
 - 4. The erection and maintenance of security hoarding / scaffolding**
 - 5. Wheel washing facilities**
 - 6. Measures on site to control the deposition of dirt / mud on surrounding roads during the development.**
 - 7. Footpath/footway/cycleway or road closures needed during the development period**

8. Traffic management needed during the development period.
9. Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.
10. Details of any temporary construction access, including appropriate visibility splays.
11. Details of any temporary speed restrictions or other works which may be necessary to facilitate safe construction access.
12. Permitted working hours and use of any lighting (including lighting specification)
13. Measures of protecting existing vegetation and landscaping for the lifetime of the construction works

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses and the environment.

21 Prior to the occupation of a development, details of the proposed charging points and ducting shall be submitted to and approved in writing by the local planning authority. Details to be submitted should include:

- Proposals to provide the minimum number of charging points as set out in the Council Electric Vehicle Charging SPD within the site for the charging of electric vehicles, together with associated signed / delineated car parking spaces, where required.
- Details of the specification(s) of charge point(s) including power output, ducting / cable routes to all other car parking spaces within the site to enable charging points for the charging of electric vehicles to be provided for all other parking spaces in the site in the future.
- Equipment design and colour.
- A management and maintenance scheme (Charge Point Operation and Management Strategy) outlining how the charging points and associated car parking spaces will be managed and operated.
- The process users can go through to activate passive charging points.

The approved development shall not be occupied until the scheme has been provided in accordance with the approved details, including the approved ducting / cable routes. The charging points and associated car parking spaces shall thereafter be retained, as approved, and shall remain available for use. The charging points and associated car parking spaces shall be managed and operated at all times in complete accordance with the approved Charge Point Operation and Management Strategy.

Reason: To ensure that adequate parking with facilities for the charging of electric vehicles are provided in accordance with Policy HQ1 High Quality Design, Policy T5 Ultra Low Emission Vehicles; Policy T3 Parking; Policy T2 Highways Safety and Design and Policy CC1 Climate Change and Sustainability and the National Planning Policy Framework.

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers EW/10/14B, EW/10/19A, EW/10/01D, EW/10/12, EW/10/13, EW/10/14, EW/10/15, EW/32/07, EW/10/17A, EW/10/02B, EW/10/03B, EW/10/04A, EW/10/05A, EW/10/06A, EW/10/07A, EW/10/08A, EW/10/09A and EW/10/21.

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. GDP Policy Informative – Central Beds Local Plan

In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Central Bedfordshire Local Plan and the National Planning Policy Framework (NPPF).

3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> Or contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 6 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.

The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If

necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.

4. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.