Committee and date
Northern Planning Committee
9th December 2025

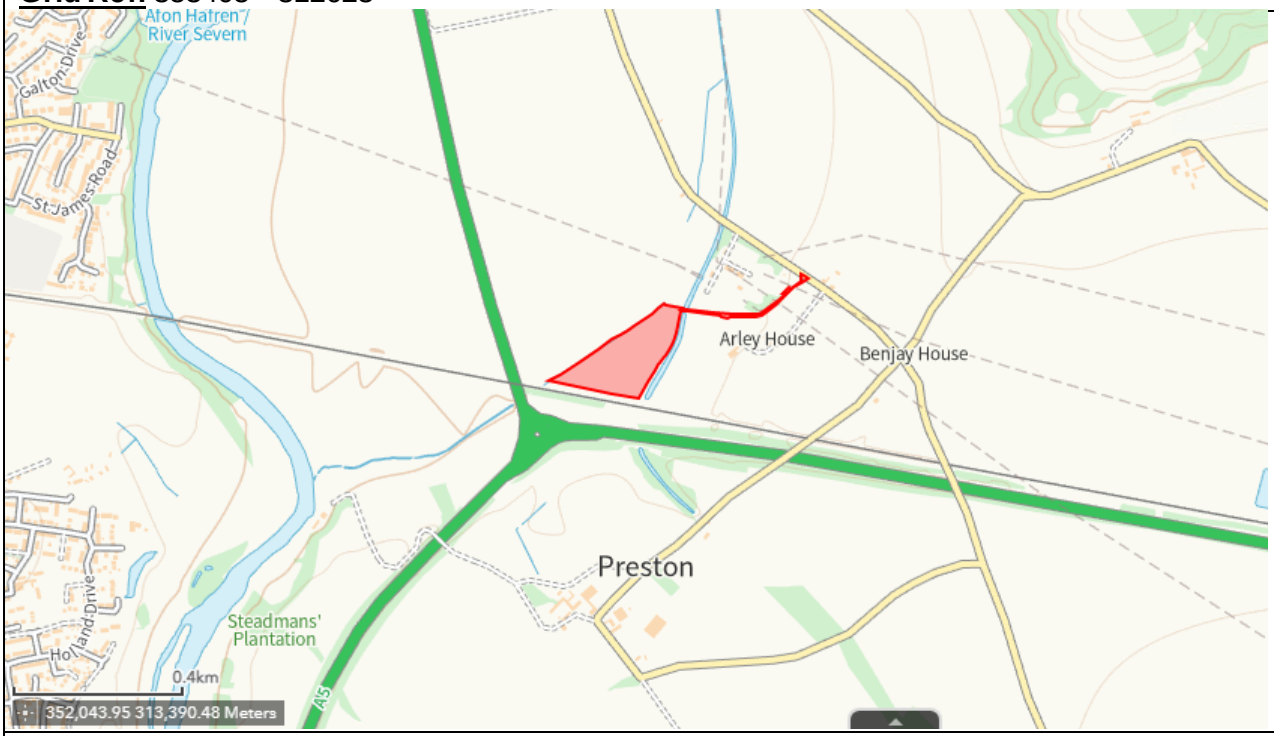
Development Management Report

Responsible Officer: Tim Collard, Service Director - Legal and Governance

Summary of Application

Application Number: 25/00531/FUL	**Parish:**	Upton Magna
Proposal: Installation of a Battery Energy Storage System (BESS) and associated infrastructure.		
Site Address: Electricity Sub-station Uffington Shrewsbury Shropshire		
Applicant: Mr T Main		
Case Officer: Kelvin Hall	**email:** kelvin.hall@shropshire.gov.uk	

Grid Ref: 353405 - 312623



Recommendation: Grant planning permission subject to the completion of a Section 106 agreement to secure BNG and to the planning conditions set out in Appendix 2.

REPORT

1.0 THE PROPOSAL

1.1 This application seeks planning permission for the installation of a battery energy storage system (BESS) and associated infrastructure on land south-west of Shrewsbury Substation near the village of Uffington. The BESS compound would measure approximately 165 metres x 47 metres and would contain the following elements:

- 26 pairs of battery units, each measuring approximately 2.4 metres x 6 metres x 2.9 metres high. Their appearance would be similar to shipping containers
- 26 battery interface cabinets, measuring 1.9 metres x 0.8 metres x 1.8 metres high;
- 26 inverters, measuring 3 metres x 2 metres x 2.2 metres high
- 13 Twin skids: 5.4 metres x 2.2 metres x 2.3 metres high
- Spare parts container: 6.1 metres x 2.5 metres x 2.6 metres high
- Welfare container: 6.1 metres x 2.5 metres x 2.6 metres high
- Customer switchgear container: 10.4 metres x 3.8 metres x 3.3 metres high
- Auxiliary transformer: 2.2 metres x 1.8 metres x 2.1 metres high
- Perimeter palisade fencing, 2.4 metres high
- CCTV cameras, 4 metres high
- Timber acoustic fencing, 4 metres high

1.2 Adjacent to the main compound would be a substation compound, measuring approximately 79 metres x 28 metres with the tallest element measuring approximately 6.8 metres high. This would connect the site back to the main Shrewsbury substation to the north-east. There would be a 240,000 litre capacity water tank at the south western side of the site, measuring 10.1 metres in diameter and 3 metres high. The compound would include access points to the north and south, and an access track around its perimeter.

1.3 It is proposed that the site would landscaped with native trees and hedgerow. The application states that the BESS infrastructure would be expected to have a useful life of around 40 years. It is proposed that the facility would be decommissioned and removed from the site within 45 years.

1.4 The application is accompanied by a number of detailed assessment reports, in relation to matters including ecology, transport, flood risk, noise, heritage and fire safety.

1.5 The applicant carried out pre-application engagement with the local community and the local planning authority. This included a public exhibition which was held at a local village hall; direct notification of the proposals to all households within 1km of the site; and a request for pre-application advice from the planning authority.

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is located approximately 1km to the south of the village of Uffington. The site comprises a relatively flat pasture field extending to an area of approximately 3 hectares. Surrounding land is predominantly in agricultural use. The Shrewsbury – Telford railway line runs adjacent to the southern boundary on an embankment, and beyond this is the A5 public highway. Further to the west is the A49 Shrewsbury bypass. To the north-east, approximately 65 metres away, is the Shrewsbury electricity substation. Running alongside the eastern boundary is the disused Shrewsbury and Newport canal. The nearest residential dwellings are The Manse, approximately 125 metres to the east and Arley House, approximately 200 metres to the east.

2.2 Vehicle access to the site would be gained from the public highway to the north-east, via an existing track which leads to the site. This track would be upgraded.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The views of the Parish Council are contrary to the officer recommendation however it was agreed at the agenda-setting meeting that it was appropriate for the application to be considered by Planning Committee in view of the representations received and in relation to the scale of the proposal.

4.0 COMMUNITY REPRESENTATIONS

This section provides a summary of consultee comments and public representations. The full comments can be viewed on the planning file at: Simple Search

4.1 *Consultee Comments*

4.1.1 *The main part of the site lies within the parish of Uffington. The access road to the site lies within the parish of Upton Magna.*

4.1.2 ***Uffington Parish Council*** *Objects, on the grounds that the entrance to the development impacts on the Canal; and the resulting volume of traffic which would be exacerbated by the current parking issues in the village.*

Uffington is a small rural village with a narrow two-lane highway. Pedestrians and horse riders regularly use the narrow roads through the village. Concerns have previously been raised regarding traffic and speeding, and the existing road infrastructure is insufficient to manage an increase in traffic. The Parish Council is concerned that the safety of residents will be adversely affected by the increase in traffic.

Furthermore, the proposed access routes are not suitable for the type or volume of heavy goods vehicle traffic required during the construction and operational phases of a BESS facility. This contravenes Shropshire Council's Core Strategy Policy CS6 (Sustainable Design and Development Principles), which requires development to be accessible and safe for all users.

The site does not comply with guidance of the National Fire Chiefs Council, with poor site access for the emergency services to quickly attend and stop the fire spreading through the rest of the battery containers. The site is immediately adjacent to the A49 at

Uffington, and any incidents could result in severe congestion, severely delaying the response from Shropshire Fire and Rescue units.

In addition, the risk of thermal runaway in lithium-ion battery cells is a well-documented safety hazard. The Fire Chiefs Council guidance specifically recommends minimum access distances and separation between battery containers, which this application appears not to meet. It is therefore contrary to Paragraph 110 and 112 of the National Planning Policy Framework (NPPF), which require developments to be safe, and to consider emergency access arrangements.

There will be an environmental impact as a result of this application. There is potential noise pollution from continuous operational noise which will have an impact on residents.

This application fails to provide a comprehensive Environmental Impact Assessment (EIA), contrary to the requirements under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In the absence of verified baseline noise data and modelling of operational noise (including cooling systems and inverters), the application should be considered premature. Noise intrusion would directly affect residential amenity, contravening Shropshire Local Plan Policy MD7a and NPPF Paragraph 185.

There are significant safety concerns regarding the possible hazards associated with this application. The Parish Council would like to request that all concerns raised by Councillor Mallon are addressed by Shropshire Council as part of the planning process.

In particular, the Parish Council requests that a full Quantitative Risk Assessment (QRA) and Fire Safety Management Plan be submitted before any approval is considered. The absence of these assessments means that the development may not comply with the Health and Safety at Work Act 1974 and The Regulatory Reform (Fire Safety) Order 2005. These are material considerations when assessing planning applications for high-risk infrastructure such as BESS.

Additionally, the site lies in close proximity to residential properties and agricultural land, with no clear mitigation strategy for potential leachate or chemical spill containment. This raises further concerns under NPPF Paragraph 174, which requires that planning decisions prevent unacceptable risks from pollution and land instability.

The Parish Council also notes that no meaningful community engagement has taken place in advance of this application, which conflicts with Paragraph 39 of the NPPF encouraging early and effective engagement to resolve issues before formal applications are submitted.

Given the lack of evidence of compliance with national safety guidance, the potential impact on residential amenity, the risks to public safety, and conflicts with established local and national planning policy, the Parish Council strongly objects to this application and urges Shropshire Council to refuse planning permission.

4.1.3 **Upton Magna Parish Council** The Parish Council remain neutral on the proposal.

4.1.4 **Uffington Parish Council / Upton Magna Parish Council**

In addition to the individual comments above from the Parish Councils, the following joint comments have also been received:

Joint comments:
Uffington and Upton Magna Parish Councils wish to raise a concern regarding the increased volume of traffic, in particular heavy goods vehicles travelling in the surrounding areas, should both BESS applications be approved. It is felt that this would create a risk to residents and have a huge impact on the environment.

4.1.5 **Environment Agency** Standing advice applies.

BESS sites are not currently regulated under the Environmental Permitting Regulations (EPR). BESS also do not fall within Hazardous Substances Consent or COMAH regimes.

Risks to the environment from BESS developments: BESS developments could present the following risks in our interest: they could be at risk of flooding; pollution risks (including fire-related risk) to surface water and groundwater; the links between flood risk and pollution risk; management of end-of-life batteries.

Flood risk vulnerability classification: For standalone BESS development, until the vulnerability classification is updated, or other guidance is provided by DLUHC (or DESNZ), we would advise that such facilities should be treated as 'essential infrastructure' if providing 'grid and primary substations storage' (e.g. if the BESS is connected to the national grid).

Lifetime of development: If applicants are suggesting a lifetime of 30 years or less we would recommend that a time-limited planning permission or controls that require flood risks to be re-assessed and addressed in future are confirmed.

Risk to groundwater and surface water: Under normal operation BESS developments do not present significant risks to groundwater or surface water. There is, however, potential for pollution of the water environment due to abnormal and emergency situations at BESS developments, in particular: fires. There is a risk that highly polluting chemicals in batteries could enter groundwater in firewater or rainfall. Applicants should assess risks to groundwater and the water environment, and ensure robust mitigation is in place for containment of this water. Where possible the applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring.

While in the event of a fire at a BESS, it is accepted best practice to let the containers on fire burn out, it is likely water will be used to cool neighbouring containers. This water could enter burning containers through surface run off or directly from spray cooling neighbouring containers. Furthermore, during or following a fire at a BESS

development, water could enter exposed containers through rainfall during the period of time it takes to remove, or cover burnt out containers. The site must be able to accommodate an appropriately sized water storage for these events.

There should be appropriate space available on site for firefighting water storage and containment. We would suggest that the surface water drainage system incorporates suitable measures to prevent pollution of the water environment from firefighting run-off, in the event of a fire. For example, 'containment' through tanks or appropriately sealed containment drainage (lagoons tanks or storage) systems, on impermeable surfaces to hold firewater. Use of shut off valves,spill kits and drainage covers.

It may also be important to consider the risk of failure of mitigation measures to manage identified risks. For example, the risk that a containment system to contain surface water in the event of a fire failing because of the fire. The extent of the measures taken to assess and manage this risk may depend on the sensitivity of the groundwater or surface water bodies affected.

4.1.6 **SC Archaeology** Recommends a condition.

The proposed development site comprises approximately 3.12ha of agricultural and pastural land east of Shrewsbury. The site is near several settlements with early medieval origins that were recorded in the Domesday Survey in the 11th century, the nearest of which is Uffington to the north of the site.

There are several known heritage assets in the vicinity of the site. The line of the former Shrewsbury Canal follows the eastern boundary of the site and crosses the proposed access, and the Shrewsbury to Wolverhampton railway line follows the southern boundary.

A multiperiod cropmark enclosure and field system comprising possible field boundaries and ditches of prehistoric to post medieval date is immediately to the east of the site and crosses part of the proposed access. Several other cropmark enclosures are recorded within approximately 600m of the site and the scheduled monument Uffington Roman Temporary Camp is approximately 400m to the northwest.

Officers concur with the heritage assessment conclusions that there is low potential that archaeological remains of the prehistoric periods and early medieval to medieval periods survive within the site, moderate potential for remains of the Iron Age or Roman period, and high potential for remains of industrial/post medieval to modern periods.

It is recommended that a programme of archaeological work be made a condition of any planning permission for the proposed development. This should comprise an initial geophysical survey and subsequent targeted trial trenching across the site, followed by further mitigation as necessary.

4.1.7 **SC Conservation** No objection.

We concur with the findings of the Heritage Assessment and also note the landscape

mitigation measures being proposed. We previously commented on the need for appropriate and recessive colour finishes for the storage system and related infrastructure within this rural context, and reiterate this comment again. No heritage objection is raised, where these comments are made having regard to local policies CS5, CS6 and CS17; MD2 and MD13; national policies and guidance including the National Planning Policy Framework (NPPF) at Chapter 16, as well as Historic England Guidance including GPA3, and we would also note the legislative requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as revised where the Act requires the need to pay special regard to the preservation of listed buildings and their settings.

4.1.8 **SC Ecology** Recommends conditions.

Biodiversity Net Gain
The BNG Assessment states that a net gain of 1.42 (14.82%) habitat units and 0.57 (18.66%) watercourse units will be provided on-site. The BNG is considered to be significant, therefore a s106 will be required to secure the BNG for 30 years.

Great crested newts
The Ecological Appraisal states that 'A single waterbody is located 45m north of the site at the nearest point and is known to support great crested newts.' A Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate has been submitted which confirms that the project is eligible to enter the District Level Licensing scheme and that the developer intends to do so.

With the submission of the IACPC, and provided that works are carried out under the District Level Licensing scheme, SC Ecology are satisfied that the impacts of the development on GCN are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations. As stated in the IACPC, '[I]n signing this Certificate Natural England has considered the matters it believes to be necessary to satisfy regulation 55 (9) (b) of the 2017 Regulations ("that the action authorized will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range") and has concluded that the payment by the Applicant of the Conservation Payment will suffice to allow the impacts on great crested newts of the Applicant's proposals on the Site to be adequately compensated, and therefore that these proposals will not be detrimental to the maintenance of the population of great crested newts at a favourable conservation status in their natural range.'

A European Protected Species 3 tests matrix will need to be completed and must be included in the planning officer's report and discussed/minuted at any committee at which the application is considered.

Conditions and informatives
Conditions are recommended to require that a District Level Licence for great crested newts is obtained; that bird and bat boxes are erected in accordance with details to be agreed; and that approval is obtained in respect of any external lighting.

4.1.9 **SC Trees** No objections. Recommends conditions.

The proposed development will require the removal of a small portion of a young group of trees for the visibility splay associated with the site access, which can be readily compensated by the new native tree and hedge planting indicated on the submitted landscaping plan. The root protection area (RPA) of 5 retained trees will be partially affected by construction of the new access track to and around the perimeter of the BESS site. However, a 'no-dig' methodology is proposed within the RPA, utilising a 3 dimensional cellular confinement system to act as a load bearing sub-base, thereby avoiding damage to tree roots, which are retained in situ. Three of the five trees already have an existing field access of compacted grass or stone and gravel passing through their RPA, on the same route as the proposed track. Additional impacts should therefore be negligible for these trees.

Tree protection conditions are recommended should permission be granted.

4.1.10 **SC Landscape** Recommends conditions.

The assessment of landscape and visual effects has been carried out in a clear, robust and evidence-based approach in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) and other technical guidance notes. It has been undertaken by a Chartered Landscape Architect with suitable experience.

The predicted landscape effects in respect of landscape elements and landscape character are concluded to be no greater than Slight adverse when considered on a receptor unit level.

There would be 'Negligible' effects for twelve of the sixteen visual receptors. For the remaining receptors, 'Moderate' adverse effects are predicted at Year 1 for two receptors (residents of 1 and 2 Brickyard Cottage and visitors to Haughmond Hill toposcope and other elevated viewpoints) which would reduce to 'Slight Adverse' effects by Year 10. For residents of The Manse and users of the Wolverhampton-Shrewsbury railway line, effects would be 'Slight Adverse' at Year 1 reducing to 'Negligible' for residents of The Manse by Year 5.

The effects predicted in the LVA are summarised in the table below.

Receptor	Year 1	Year 5
Landscape receptors		
Landscape Elements: Vegetation of the Site and its boundaries	Negligible	Slight beneficial
Landscape Elements: Landform of the Site and its environs	Slight Adverse	Slight adverse

Landscape Character: Estate Farmlands Landscape Type	Slight adverse	Slight adverse
Landscape Character: Wooded Hills and Farmlands Landscape Type	Negligible	Negligible
Visual receptors (residents)		
Residents of The Manse	Slight adverse	Negligible
Residents of Arley House	Negligible	Negligible
Residents of The Chimneys and Manse Lodge	Negligible	Negligible
Residents of 1 and 2 Brickyard Cottage	Moderate adverse	Slight adverse
Residents of southern edge of Uffington and Bridge Farm	Negligible	Negligible
Residents of eastern edge of Shrewsbury	Negligible	Negligible
Visual receptors (recreational)		
Users of PRoWs 0437/30/1, 0435/5/1, 0437/30/2, 0435/7/1, 0435/7/2 at base of Haughmond Hill	Negligible	Negligible
Users of PRoW 0437/30/3 and 0435/30/1 on Haughmond Hill	Negligible	Negligible
Users of PRoW 0443/9/2 of Severn Way	Negligible	Negligible
Users of 0443/UN12/1 edge of Shrewsbury	Negligible	Negligible
Visitors to Haughmond Hill toposcope and other elevated viewpoints	Moderate adverse	Slight adverse (Year 10)
Visitors to Monkmoor Community Woodland and Monkmoor River Ground	Negligible	Negligible
Visual receptors (vehicular)		
Users of minor road passing the Site entrance	Negligible	Negligible
Users of the A49	Negligible	Negligible
Users of other minor roads within the Study Area	Negligible	Negligible
Users of Wolverhampton-	Slight adverse	Slight adverse

Shrewsbury railway line		

The LVA can be relied upon to support making an informed planning decision. The predicted adverse effects are localised, and it is considered that the Proposed Development generally complies with relevant aspects of the Council's Local Plan policies on landscape and visual amenity. It is recommended that conditions are added to the decision to require that details of maintenance of landscaping, and the external materials and colour of structures, are submitted for approval.

4.1.11 **SC Environmental Protection** Recommends conditions.

The revised noise assessment proposing the use of different equipment, namely, the battery units and inverters providing a reduced noise source which would provide better assurances that noise would be mitigated providing an acoustic fence is also installed with the scheme, as originally proposed. This approach would be consistent with other approved sites around the UK.

A condition should be imposed to required that the units detailed in the noise assessment are installed; that the acoustic fence is installed prior to operation; and that a post-commissioning noise assessment is undertaken.

4.1.12 **SC Highways** No objection. Recommends conditions.

From a highways perspective, it is considered that, once fully operational the proposed Battery Energy Storage System (BESS) would be unlikely to significantly adversely impact on the surrounding highway network, with one to two maintenance visits per month.

A detailed Transport Statement and Construction Traffic Management Plan has been submitted with this application and the access from the public highway is to be improved to accommodate construction traffic. The Transport Statement shows that at peak construction there would be up to 4 two way HGV movements per day falling to 1-2 HGV's every other day. It is also noted that all deliveries will be managed on a 'just in time' delivery basis.

Conditions are recommended to cover the following matters:

- *Completion of access improvements prior to use of development*
- *Construction of access apron in accordance with the Council's specification*
- *Provision of visibility splay prior to use of development*
- *Completion of internal access track, turning and servicing areas*
- *Restriction on erection of gates within 15 metres of the highway boundary*
- *Adherence to Construction Traffic Management Plan.*

4.1.13 **SC Drainage** No objection. Recommends a condition.

The submitted FRA and outline drainage strategy is acknowledged. The pluvial flood risks identified in the FRA are in agreement with information reviewed by the LFA. The proposed location of the developed areas within the site boundary is appropriate. Asset

mapping also indicates a high risk of groundwater flooding in the southwest corner and therefore drainage features such as infiltration basins and attenuations basins should not be located in this area.

It is recommended that a condition is imposed to require that a scheme of surface and foul water drainage is submitted for approval. This should include the following details: infiltration testing; layout plans and calculations; a SuDS maintenance plan.

4.1.14 **SC Emergency Planning** No comments received.

4.1.15 **Canal and River Trust** No objections. Recommends conditions.

The proposed access is over land within the Trust's freehold ownership. The route of the Shrewsbury and Newport Canal is safeguarded in the local development plan and its restoration is promoted within the Site Allocations and Management of Development Plan (2006-26) policy MD11. The Trust is supportive in principle of canal societies' aspirations to restore canals and are aware that the Shrewsbury and Newport Canals Trust is actively working towards securing the restoration of this canal to full navigation, in particular the section adjacent to the application site.

The Trust are in negotiation with the developer for a cable crossing to the substation.

The LVIA should be revised so that it recognises the former Shrewsbury and Newport Canal (SNC) as a recreational resource rather than as 'disused'. The proposed landscaping is thin and does not create further layers of vegetation, such as a woodland mix.

Conditions are recommended as follows:

- *submission of a Construction Environmental Management Plan for approval, to prevent pollution of the canal environment*
- *submission of details of materials and colour treatment, landscaping retention and augmentation, tree planting/retention/protection measures, and boundary treatment*
- *compliance with the recommendations in the Preliminary Ecological and Arboricultural Appraisals*
- *details of external lighting to protect the ecology of the canal corridor*
- *details of cable routing and directional drilling requirements, and construction methodology of the access route/bridge over the canal restoration line*

<u>Biodiversity Net Gain</u>
The scheme does not include watercourse units within its BNG assessment. The Council should also reassure itself that a sufficient justification for the absence of watercourse units within the submitted BNG metric, if applicable, has been put forward.

4.1.16 **Shrewsbury and Newport Canals Trust** Recommends planning conditions.

The S&NCT is actively restoring the Shrewsbury Canal in order ultimately to restore it to full navigation. Work is taking place on the stretch of canal alongside the Shrewsbury

Electricity Sub Station and the next phase will be the stretch alongside the proposed BESS. Initial engineering and potential financial plans are in place for a planned crossing of the A5, and active restoration of the canal on the other side of the A5 is taking place.

It is requested that details are provided of any cable duct or culvert that may be required under the canal. We have no objection in principle to the use of a Bailey Bridge to allow the crossing of the canal by construction traffic, however details should be provided. The S&NCT suggests that a lifting bridge or fixed bridge is installed for operational traffic. The S&NCT has had initial discussions with the applicant on the above matters. These matters should be agreed as part of pre-commencement conditions.

4.1.17 **Network Rail** No objections.

4.1.18 **Shropshire Fire and Rescue Service** No objections.

Even though there are relatively few recorded fire incidents involving battery energy storage systems (BESS), when affected by fire, they pose a significant environmental and safety hazard. Further measures may be required to mitigate the risk of fire and the risk posed to the environment in the event of a fire. This may include compensatory features to limit the runoff of contaminated water into nearby waterways. Consideration should be given for lithium-ion battery failure and implementing mitigating measures such as best practice in BESS design and installation that can reduce the risk or impact of failure. The causes and effects of thermal runaway, rapid pressure build-up and toxicity of gases should be considered, with suitable control measures applied. Early consultation with Shropshire Fire and Rescue's operational department will ensure effective approaches can be followed.

In addition, as part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" included in the links below:

https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf

https://www.gov.uk/government/publications/grid-scale-electrical-energy-storage-systems-health-and-safety

https://www.shropshirefire.gov.uk/safety-at-work/planning-applications

4.1.19 **Cllr Brendan Mallon (Local Member – Tern)** Objects.

Scope and Missing Information

- The applicant has referenced National Fire Chief Council guidance and contacted the Fire and Rescue Service regarding access and water provision.
- However, there are missing details about normal and emergency monitoring and control of the batteries, as well as fundamental risks associated with the site.

Lithium-Ion Battery Technology and Hazards

- Lithium-ion battery technology is a mature technology but poses significant risks, especially when scaled up for large storage applications.
- Main hazards include mechanical, electrical, and thermal damage, with thermal runaway being particularly dangerous and difficult to stop once initiated.
- Fires in large battery installations are intense, self-sustaining, and produce toxic gases and heavy metal pollution, which can have both immediate and long-term health and environmental impacts.

Real-World Incidents and Risks

- There have been several major incidents, including fires and explosions at battery storage sites in California, Arizona, South Korea, and the UK.
- The Moss Landing fire in California (January 2025) resulted in significant health complaints and environmental contamination, with heavy metal levels far exceeding safe limits even miles from the site.
- The risk of catastrophic failure increases with battery size, and the document highlights a poor risk profile for large-scale battery storage facilities.

Statistical Risk Assessment

- Data from the Electric Power Research Institute (EPRI) suggests a 50:50 chance of a failure at a 200 MWh site over a 50-year lifespan.
- Of the five largest battery storage sites worldwide, three have experienced fires in less than five years.
- The UK has already seen a major fire at a large site (Thurrock, February 2025) among just 18 large installations commissioned since 2022.

Uffington Proposal Specifics

- The site has two access points and water provision plans, but concerns remain about the effectiveness of emergency response due to potential traffic disruption.
- There is no mention of automated or remotely activated water spraying systems, and the proposed "aerosol fire extinguishing system" is deemed ineffective for lithium-ion fires.
- The proposal lacks detail on environmental management for contaminated run-off and on the specifics of battery monitoring and control, especially given the scale (over 200,000 cells).

Environmental and Public Health Risks

- Toxic gases and heavy metals from fires pose risks to nearby built-up areas, with prevailing winds potentially carrying pollutants to Uffington, Upton Magna, and even Shrewsbury.
- There is a need for more information on how these risks will be managed and mitigated.

Summary

- BESS is still an experimental technology with an absolutely appalling safety profile
- operational testing is being conducted 'live', exposing the public to the now well-

known hazards
- ongoing testing of this technology should remain confined to isolated, controlled sites and certainly not where it exposes the wonderful ecology, heritage and people of Shropshire to such ecological and health risks.

Addendum
- the site is only accessible from a single track to the north-east, in contravention of NFCC guidance to have at least two, separate access points.

4.2 **Public comments**

4.2.1 The application has been advertised by site notice. 19 public objections have been received. In addition, a petition objecting to the application which has been signed by 41 people the local area has been submitted. The matters raised are summarised below. The full representations can be viewed on the planning file.

Traffic, Access, and Road Safety
- increased construction and operational traffic, especially heavy goods vehicles (HGVs), on narrow village roads.
- roads are already congested, with limited parking and weight restrictions, making them unsuitable for large construction vehicles.
- risks to pedestrians, cyclists, horse riders, and residents are highlighted, with fears of accidents and further road damage.
- construction traffic is expected to last over a year, with daily HGV journeys far exceeding what the village infrastructure can handle.

Impact on Rural Character and Visual Amenity
- the development would industrialise a rural, scenic area, permanently altering the village's character and diminishing its natural beauty.
- loss of open fields and scenic views is a significant concern, with impacts on heritage and daily enjoyment.

Noise Pollution and Disturbance
- Continuous operational noise from the BESS (especially cooling fans and electrical components) would disrupt the tranquillity of the area, particularly at night.
- Construction noise and vibration will further impact residents' quality of life.

Property Devaluation
- reduction in property values due to proximity to the BESS, increased traffic, and noise.

Human Rights and Wellbeing
- the proposal would infringe residents' rights to enjoy their homes and private lives peacefully ref. Article 8 of the Human Rights Act 1998
- cumulative effect of noise, pollution, and disruption would be detrimental to both physical and mental health.

Environmental and Safety Risks

- risk of fire (including reference to recent BESS fires elsewhere in the UK) and potential for toxic gas release are serious safety concerns.
- proximity to sensitive sites such as a primary school and Attingham Park.
- queries about emergency access, fire service response times, and evacuation plans.
- fears of soil contamination, loss of habitats, and long-term ecological damage.

Consultation and Process

- insufficient consultation with local residents and relevant groups (e.g., canal restoration trusts).

Matters raised in the petition:

- proposal would blight the community and environment; the build phase would be 18 months of traffic chaos and misery for all villages; the environment should be protected not destroyed

5.0 THE MAIN ISSUES

5.1
- Environmental Impact Assessment screening
- Planning policy context; principle of development
- Siting, scale and design; landscape and ecological considerations
- Residential and local amenity considerations
- Historic environment considerations
- Traffic and access considerations
- Ecological considerations
- Flood risk and drainage considerations

6.0 OFFICER APPRAISAL

6.1 Environmental Impact Assessment (EIA) screening

6.1.1 Battery storage proposals are not specifically referred to in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. However, they can be considered to fall within Category 3(a) of Schedule 2 as an 'Industrial installation for the production of electricity, steam and hot water'. As its area exceeds 0.5 hectare it is Schedule 2 development. The selection criteria for screening Schedule 2 developments are set out in Schedule 3 of the 2017 Regulations. Planning Practice Guidance (PPG) on Environmental Impact Assessment provides further advice in relation to screening. This includes indicative criteria to help to determine whether significant effects are likely. For category 3(a) development the PPG states that EIA is more likely to be required where the thermal output is more than 50MW, and that small stations using novel forms of generation should be considered carefully. The PPG states that key issues to consider are the level of emissions to air, arrangements for the transport of fuel, and any visual impact. The proposed development has been considered in relation to relevant regulations and guidance. The site does not lie within a 'sensitive' area as defined in the regulations. The proposed development does raise land-use impacts due to its scale, nature and location, and these have been considered as part of the planning process. However, in terms of EIA, taking account of matters such as the sensitivity of the area; any likely pollution, nuisance or waste generation; the nature and

probability of impacts; and the possibility of effectively reducing the impact, it is not considered that the proposed development would be likely to have significant effects on the environment by virtue of its characteristics; its location; and the type and characteristics of the potential impact. On this basis, the Council adopts a Screening Opinion that EIA is not required.

6.2 Planning policy context; principle of development

6.2.1 The BESS would enable energy from renewables, such as solar and wind, to be stored and then released when consumers need the power the most. Fossil-fuel fired plants have traditionally been used to manage peaks and troughs of energy demand. BESSs help to offset the need for this by being able to release stored energy in response to peaks in demand. The proposed development would have the capacity to store enough electricity to power over 26,666 typical local homes for a day. The proposal would therefore provide a key part of an increase in the proportion of energy which is generated by renewable means.

6.2.2 National and Development Plan policy

Paragraph 161 of the NPPF states that the planning system should support the transition to net zero by 2050, and support renewable and low carbon energy and associated infrastructure. Paragraph 168 of the NPPF states confirms when determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.

6.2.3 National planning practice guidance (PPG) on Renewable Energy states:
"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" (Paragraph: 032 Reference ID: 5-032-20230814).

6.2.4 This type of facility is supported by national government through its planning practice guidance and through its ambitions such as Clean Power 2030 to significantly increase battery storage capacity. The Government's Overarching National Policy Statement for Energy (EN-1) (November 2023) is a material consideration in determining planning applications. It states that "storage has a key role to play in achieving net zero and providing flexibility to the energy system…" (para. 3.3.25) and "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" (para. 3.3.26).

6.2.5 Strategic Objective 9 of the Council's Development Plan seeks to promote a low carbon Shropshire, through measures such as delivering development which mitigates, and adapts to, the effects of climate change, more efficient use of energy and resources, and the generation of energy from renewable sources. The proposal aligns with the

Council's planning policies to support renewable energy generation, and also the Council's strategies for this. These include Core Strategy policy CS8 which positively encourages infrastructure, where this has no significant adverse impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation.

6.2.6 SAMDev Plan policy MD8 states that new strategic energy infrastructure will be supported in order to help deliver national priorities, where its contribution to agreed objectives outweighs the potential for adverse impacts. Relevant considerations are discussed below.

6.3 Siting, scale and design; landscape considerations

6.3.1 The site lies in an area which is defined as countryside for planning policy purposes. Core Strategy policy CS5 provides support for such locations to be used for infrastructure which cannot be accommodated within settlements. There is no in principle planning policy concerns regarding this countryside location for the proposal. Policy CS6 states that development should respond to the challenge of climate change and protect, restore, conserve and enhance the natural, build and historic environment. Policy CS17 has similar objectives. SAMDev Plan MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value.

6.3.2 Siting: The application states that this particular location has been selected due to its proximity to the main Shrewsbury substation. In addition, a grid connection has been secured for the project. Natural screening is provided in the landscape by existing vegetation and the railway embankment.

6.3.3 Landscape and visual considerations: A Landscape and Visual Appraisal (LVA) has been submitted as part of the application. This assesses impacts at year 1 and that at year 5 once the landscape mitigation planting has begun to establish. Trees within and adjacent to the site would be retained. Mitigation planting would include 30 native trees and 45 metres of native hedge near the site entrance. The LVA identifies that that landscape effects would reduce to between slight adverse and slight beneficial after 5 years of operation. Visual effects on residents of the dwellings to the north would reduce to slight adverse by year 5, and for visitors to Haughmond Hill they would reduce to slight adverse at year 10. For other residents, visual effects would be negligible.

6.3.4 The Council's landscape consultant has confirmed that the LVA can be relied upon, that the predicted adverse effects are localised, and that the proposal generally complies with landscape and visual amenity-related planning policies. Officers conclude that, with the landscape mitigation in place, the proposal would not result in unacceptable impact in relation to landscape and visual receptors.

6.3.5 Canal considerations: Access to the proposed BESS would be across the disused Shrewsbury & Newport canal via an existing low-level crossing which provides access to agricultural land by farm vehicles. No changes to the crossing are proposed.

6.3.6 As noted by the Canal and River Trust (CRT), the line of the disused canal is

safeguarded as part of the Development Plan and its restoration is promoted under policy MD11. The proposed development would only utilise the existing low level crossing point and would not impact on the canal channel either site. The proposal therefore does not conflict with any safeguarding objectives.

6.3.7 The CRT raise no objection to the proposals. Any legal agreement that they may require the applicant to enter into in relation to works on their land would be a non-planning matter to be dealt with separately by the two parties. The matters raised by the Shrewsbury & Newport Canal Trust are acknowledged. Those relating to construction traffic can be dealt with through agreement of a Construction Environmental Management Plan. A planning condition can be imposed to require that details of any cabling and any works to the canal crossing are submitted for approval.

6.4 Residential and local amenity considerations

6.4.1 Core Strategy policy CS6 requires that development safeguards residential and local amenity and is designed to be safe.

6.4.2 Noise considerations:

A Noise Impact Assessment has been submitted as part of the application. This assessment predicts noise impact in relation to the nearest noise-sensitive properties. It is based upon a worst case scenario which includes receptors being downwind of the site, all plant items operating simultaneously, and there being no acoustic barriers. The assessment concludes that there would be a low impact at the receptors during daytime and night-time. It states that the dominant noise source in the area is road traffic from the A5 and A49, and that noise from the BESS would be low in comparison. To provide additional noise attenuation it is proposed to erect a 4 metres high acoustic barrier around the site.

6.4.3 Subject to the imposition of conditions to require that the units and barrier specified in the application are provided, the Council's Environmental Protection Officer has raised no objections on noise grounds. As an additional safeguard, a post-commissioning noise survey can be required to ensure that the relevant noise limits are not exceeded.

6.4.4 Safety considerations:

The concerns that have been raised through public representations and by the local member are acknowledged. National planning practice guidance (PPG) encourages applicants to engage with the relevant local fire and rescue service before submitting planning applications for BESSs. This is so matters relating to their siting and location, in particular in the event of an incident, prevention of the impact of thermal runway, and emergency services access can be considered before an application is made. The PPG also encourages applicants to consider guidance produced by the National Fire Chiefs Council when preparing the application. The applicant has followed this advice.

6.4.5 The PPG states "The location of such sites are of particular interest to fire and rescue services; who will seek to obtain details of the design, and firefighting access and facilities at these sites in their register of site specific risks that they maintain for the purposes of Section 7 of the Fire and Rescue Services Act 2004".

6.4.6 The application states that there are multiple protection and safety devices incorporated within the design of the BESS. These include fire detection in each container, over-temperature protection, ventilation systems, and aerosol fire extinguishing system. A Fire Strategy Plan has been submitted. This confirms that the site has been designed in accordance with the guidance contained in the Fire and Rescue Services document as referred to above. The Plan confirms that the proposal complies with the following:

- Compliance with UL 9540A (Test Method for BESSs); provision of secondary access/exit point for emergency vehicles giving consideration to varying wind conditions; provision of localised water hydrants; provision of passing places on access route which are suitable for fire service vehicles; 3 metres spacing between battery storage units; sufficient distance to occupied buildings; avoidance of battery storage units within 10 metres of combustible vegetation; suitable internal access for fire rescue emergency vehicles.

6.4.7 In line with Government advice, the local fire and rescue service has been consulted on this application. They have provided advice and have raised no objections to the design of the proposal.

6.4.8 Officers consider that the relevant planning advice and recommendations have been adhered to, and that consultation with the relevant technical bodies has not resulted in any significant safety issues being raised.

6.4.9 It is considered that it would be appropriate to require that a Detailed Battery Safety Management Plan (DBSMP) and a detailed Emergency Response Plan (ERP) is submitted for approval. This can be dealt with through a planning condition, and is in line with other planning permissions granted for BESSs, including those granted by the Planning Inspectorate on appeal.

6.4.10 Lighting

The site would be unmanned and lighting would only be required during maintenance periods which would be undertaken during normal working hours, or in an emergency. Any lighting would be background lighting pointing downwards. A planning condition can be imposed to require that the design of any lighting is submitted for approval.

6.5 Historic environment considerations

6.5.1 Core Strategy policies CS6 and CS17 and SAMDev Plan policies MD2 and MD13 require that development protects, restores, conserves and enhances the built and historic environment and is appropriate in scale, density, pattern and design, and that harm or loss is avoided.

6.5.2 A planning condition can be imposed to require that an appropriate level of archaeological investigation work is undertaken prior to any construction works commencing, as requested by the Council's Archaeologist, in view of the potential archaeological interest of the site. The submitted Heritage Assessment identifies that the proposed development would affect the setting of a scheduled monument which is at the summit of Haughmond Hill approximately 1.18km away, but that this would be at the lowest end of less than substantial. Paragraph 212 of the NPPF states that great weight should be given to the conservation of heritage assets. This is discussed further

in the planning balance section below.

6.6 Traffic and access considerations

6.6.1 Core Strategy policy CS6 requires that all development is designed to be safe and accessible. SAMDev Plan policy MD8 states that development should only take place where there is sufficient existing infrastructure capacity.

6.6.2 Once operational, the BESS would be unmanned and would be operated and monitored remotely. The site includes parking spaces to accommodate occasional visits which would be likely to comprise fortnightly maintenance visits using a small van or 4x4 type vehicle.

6.6.3 The construction phase would take approximately 14 months. Traffic associated with construction, decommissioning and operational phases would access the site via the existing field access from the public highway. This access would be widened and re-surfaced. The informal grass track would be surfaced with stone, and passing places would be provided. Due to physical constraints, HGV construction traffic would access and egress the site to/from the northwest. This is the most expedient route to and from the principal road network.

6.6.4 In relation to traffic, the main impacts would occur during the construction phase. The Transport Statement predicts that there would be a peak of four 2-way HGV movements per day, and an average of one 2-way movement every other day. Other traffic would be associated with contractors is predicted to amount to up to 30 2-way movements per day by light vehicles. The Council's Highways Officer has raised no objections to the proposal and has confirmed that the Construction Traffic Management Plan is acceptable. A condition can be imposed on the decision to require that this is adhered to.

6.7 Ecological considerations

6.7.1 Core Strategy policy CS17 seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policies MD2 and MD12 require that developments enhance, incorporate or recreate natural assets.

6.7.2 <u>Protected species:</u>
There are trees in the vicinity of the site with roosting features for bats, and these would be retained. There are records of great crested newt nearby. The applicant proposes to enter the Great Crested Newt licensing scheme. Acceptance onto this scheme, run by Natural England, confirms that the impacts on this protected species would be adequately compensated, and that the requirements of the Habitats Regulations would be met. The relevant European Protected Species 3 tests matrix has been completed and is appended to this report.

6.7.3 <u>Biodiversity Net Gain (BNG)</u>
The Biodiversity assessment has been revised to incorporate a watercourse assessment. The submitted information demonstrates that the statutory 10% BNG would be achieved on site. This would be achieved by carrying out works to raise the

condition of the ditch which runs along the north-western boundary of the site from 'poor' to 'moderate'. A Section 106 agreement would secure BNG for 30 years and facilitate monitoring of this.

6.7.4 Ecological protection and enhancement
Other enhancement work would include the planting of trees at the site, adjacent to the disused canal. The conditions that have been recommended by the Council's Ecological for ecological protection and enhancement purposes can be included on the decision notice.

6.8 Flood risk and drainage considerations

6.8.1 Core Strategy policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. Policy CS6 requires that development safeguards natural resources, including soil and water.

6.8.2 The submitted Flood Risk Assessment acknowledges that the western half of the application site is at risk of surface water flooding. However, the BESS structures would not be situated at this part of the site and would be constructed on a raised platform to ensure it is resilient to local flood risk. It is intended that surface water runoff from the BESS would be conveyed to an infiltration basin or attenuated before discharging to an existing watercourse at greenfield runoff rates. In the event of a fire, polluted run off would be directed into a fire water storage system. Detailed arrangements for surface water drainage can be agreed as part of a scheme to be submitted for approval should permission be granted, as recommended by the Drainage team. This would include infiltration testing to inform the most appropriate method of water management.

7.0 Planning Balance and Conclusion

7.1 The proposed BESS would support the increase in renewable energy generation and the transition to net zero by improving demand management. It would provide more than 14% BNG, exceeding the statutory requirement of 10%. Officers acknowledge the concerns that have been raised in relation to this proposal through public representations. Nevertheless, Officers consider that the location, design and layout of the facility is acceptable. There are no objections raised by technical consultees. Detailed matters can be agreed through planning conditions, including those relating to detailed safety management issues. The proposal would result in some local disturbance during the construction period, and planning conditions can be imposed to ensure that this is minimised.

7.2 The proposed development would affect the setting of a scheduled monument, and this harm would be at the lowest end of less than substantial. Officers consider that this harm would be outweighed by the public benefits of the proposal, and therefore the test required by paragraph 215 of the NPPF is met.

7.3 This type of facility is supported in principle under Government policy and the proposal is in line with national planning policy and Development Plan policy. On this basis, Officers recommend that planning permission is granted subject to the completion of a Section 106 agreement to secure BNG, and to the conditions set out in Appendix 2.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

9.0 Financial Implications

There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

EUROPEAN PROTECTED SPECIES: The 'three tests'

Application reference number, site name and description:

25/00531/FUL
Electricity Sub-station, Uffington, Shrewsbury, Shropshire, .
Installation of a Battery Energy Storage System (BESS) and associated infrastructure.

Date:

23rd July 2025

Officer:

Sophie Milburn
Planning Ecologist
sophie.milburn@shropshire.gov.uk
Tel.: 01743 254765

Test 1:
Is the development '**in the interests of public health and public safety**, or for other imperative reasons of **overriding public interest**, including those of a social or economic nature and beneficial consequences of primary importance for the environment'?

The proposed development would provide significant environmental benefits in terms of supporting the development of renewable energy generation, and is therefore of overriding public interest.

Test 2:
Is there **'no satisfactory alternative?'**

There is no satisfactory alternative means of providing this facility which would result in the same environmental benefits as would be provided by the proposed

development.

Test 3:
Is the proposed activity '**not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status** in their natural range'?

A single waterbody is located 45m north of the site at the nearest point and is known to support great crested newts.

EPS offences under Article 12 are likely to be committed by the development proposal, i.e. damage or destruction of an EPS breeding site or resting place and killing or injury of an EPS.

A Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate (Enquiry no. DLL-ENQ-SHRP-00082) has been submitted which confirms that the project is eligible to enter the District Level Licensing scheme and that the developer intends to do so.

With the submission of the IACPC, and provided that works are carried out under the District Level Licensing scheme, SC Ecology are satisfied that the impacts of the development on GCN are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations. As stated in the IACPC, '[I]n signing this Certificate Natural England has considered the matters it believes to be necessary to satisfy regulation 55 (9) (b) of the 2017 Regulations ("that the action authorized will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range") and has concluded that the payment by the Applicant of the Conservation Payment will suffice to allow the impacts on great crested newts of the Applicant's proposals on the Site to be adequately compensated, and therefore that these proposals will not be detrimental to the maintenance of the population of great crested newts at a favourable conservation status in their natural range.'

I am satisfied that the proposed development will not be detrimental to the maintenance of the population of great crested newts at favourable conservation status within their natural range, provided that the 'District Level Licence condition for GCNs' condition included in the response from Sophie Milburn to Kelvin Hall (dated 23rd July2025) is included on the decision notice and is appropriately enforced.

Guidance

The 'three tests' must be satisfied in all cases where a European Protected Species may be affected by a planning proposal and where derogation under Article 16 of the EC Habitats Directive 1992 would be required, i.e. an EPS licence to allow an activity which would otherwise be unlawful.

In cases where potential impacts upon a European Protected Species can be dealt with by appropriate precautionary methods of working which would make derogation unnecessary (since no offence under the legislation is likely to be committed), it is not necessary to consider the three tests.

The planning case officer should consider tests 1 (overriding public interest) and 2 (no satisfactory alternative). Further information may be required from the applicant/developer/agent to answer these tests. This should not be a burdensome request as this information will be required as part of the Natural England licence application. If further information is required, it can be requested under s62(3) of the Town and Country Planning Act 1990.

Test 3 (favourable conservation status) will be considered by SC Ecology, with guidance from Natural England.

A record of the consideration of the three tests is legally required. This completed matrix should be included on the case file and in the planning officer's report, and should be discussed and minuted at any committee meeting at which the application is discussed.

As well as the guidance provided below, pages 6 and 7 of the Natural England Guidance Note, *Application of the Three Tests to Licence Applications*, may assist the planning officer to answer tests 1 and 2.

Answering the three tests

Test 1
Is the development 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'?

Preserving public health or public safety must also be shown to constitute a reason of **overriding public interest**. You need to demonstrate that action is required to alleviate a clear and imminent danger to members of the general public, e.g.:

1. If an unstable structure (e.g. a building or tree) is involved, either through neglect or outside influences (e.g. severe weather or seismic events), supporting evidence from an appropriately qualified person such as a structural engineer, arboriculturalist or tree surgeon should be sought.
2. If vandalism or trespass is used as an argument, evidence of reasonable measures to exclude the general public from the site must be presented. Evidence may be provided by the local police or fire services in relation to the number of incidents dealt with.

Imperative reasons of overriding public interest
Only public interests can be balanced against the conservation aims of the EC Habitats Directive (1992). Projects that are entirely in the interest of companies or individuals would generally not be considered covered.

Test 2
Is there 'no satisfactory alternative?'

An assessment of the alternative methods of meeting the need identified in test 1 should be provided. If there are any viable alternatives which would not have an impact on a European Protected Species, they must be used in preference to the one that does. Derogations under the EC Habitats Directive (1992) are the last resort.

Where another alternative exists, any arguments that it is not satisfactory will need to be convincing. An alternative cannot be deemed unsatisfactory because it would cause greater inconvenience or compel a change in behaviour.

This test should identify a) the problem or specific situation that needs to be addressed, b) any other solutions, and c) whether the alternative solutions will resolve the problem or specific situation in (a).

Test 3
Is the proposed activity 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'?

Assessment of the impact of a specific development will normally have to be at a local level (e.g. site or population) in order to be meaningful in the specific context.

Two things have to be distinguished in this test: a) the actual conservation status of the species at both a biogeographic and a (local) population level; and b) what the impact of the proposal would be.

In such cases where the conservation status is different at the different levels assessed, the situation at the local population level should be considered first, although ultimately both should be addressed.

No derogation under the EC Habitats Directive (1992) can be granted if the proposal would have a detrimental effect on the conservation status or the attainment of favourable conservation status for a European Protected Species at all levels. The net result of a derogation should be neutral or positive for a species.

In the case of the destruction of a breeding site or resting place it is easier to justify derogation if sufficient compensatory measures offset the impact and if the impact and the effectiveness of compensation measures are closely monitored to ensure that any risk for a species is detected.

Compensation measures do not replace or marginalise any of the three tests. All three tests must still be satisfied.

10. Background

<u>Relevant Planning Policies</u>

Central Government Guidance:
NPPF

Development Plan policies:
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS8 - Facilities, Services and Infrastructure Provision
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD2 - Sustainable Design
MD8 - Infrastructure Provision
MD11 - Tourism Facilities and Visitor Accommodation
MD12 - Natural Environment
MD13 - Historic Environment

RELEVANT PLANNING HISTORY:
PREAPM/24/00201 Installation of a battery energy storage system (BESS) and associated infrastructure PREAMD 5th December 2024

11. Additional Information

View details online: http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SRJ8WFTDFRM00

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Brendan Mallon
Appendices APPENDIX 2 - Conditions

APPENDIX 2 - ***Conditions***

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).
Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

4. (a) No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has been submitted to and approved by the local Planning Authority in writing. The submitted details shall include post-fieldwork reporting and appropriate publication.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report provided to the local planning authority prior to first use or occupancy of the development. The report shall include post fieldwork assessments and analyses that have been completed in accordance with the approved written scheme of investigation. This shall include evidence that the publication and dissemination of the results and archive deposition has been secured.

Reason: The site is known to hold archaeological interest.

5. WORDING TO BE ADDED

6. The development (including any works of site preparation / remediation) shall proceed only in strict accordance with a Construction and Environmental Management Plan which has been submitted to and approved in writing by the local planning authority. The Plan shall include / provide for:
a) the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in site preparation and in constructing the development;
b) measures to control the emission of dust and dirt during site preparation and construction;

c) details of protective measures (both physical measures and sensitive working practises) to avoid negative impacts on the canal restoration line during site preparation and construction;
d) A timetable to show phasing of site preparation and construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as when badgers, reptiles and amphibians are active and during bird nesting seasons);
e) Persons responsible for:
i) Compliance with legal consents relating to nature conservation;
ii) Compliance with planning conditions relating to nature conservation
iii) Installation of physical protection measures during site preparation and construction;
iv) Regular inspection and maintenance of the physical protection measures and monitoring of working practices during site preparation and construction;
v) Provision of training and information about the importance of Environment Protection measures to all site preparation and construction personnel on site.

Reason: To safeguard the environment of the canal restoration line in accordance with Policy CS6 of the Shropshire Core Strategy 2011 and Policies MD2 and MD12 of the Shropshire Council (SAMDev) Plan (2015).

7. No development shall take place until details of the external materials and colour of the battery storage units and infrastructure (cabins and fencing) associated with the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the external appearance of the development is satisfactory.

8. No development shall take place (including vegetation clearance and ground works) until a District Level Licence with respect to great crested newts has been obtained from Natural England and submitted to the Local Planning Authority.
Reason: To ensure the protection of great crested newts, which are European Protected Species.

9. The internal access track, turning and servicing areas shall be satisfactorily completed and laid out in accordance with the Site Plan Drawing No. 22-0226-PL-01_REV.07 prior to work commencing on the BESS site. The approved areas shall thereafter be maintained at all times for that purpose.
Reason: To ensure the formation and construction of a satisfactory access and servicing facilities in the interests of highway safety

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

10. All pre-commencement tree works and tree protection measures as detailed in Section 2 (Arboricultural Impact Assessment), Section 3 (Arboricultural Method Statement), Appendix 5 (Tree Protective Barrier), Appendix 6 (Ground Protection), Appendix 7 (Cellweb) and Plan 2 (Tree Protection Plan) of the approved Arboricultural Appraisal (P:934_AA, Salopian Consultancy Ltd, 30.01.2025) shall be fully implemented to the written satisfaction of the LPA, before any development-related equipment, materials or machinery are brought onto the site.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

11. No above ground works shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and time scales. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

12. (a) No above ground works shall take place until methods of cultivation and planting; and a maintenance regime for the landscape proposals outlined in the Landscape Mitigation Plan (T1101-001) have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.
(b) Any trees or plants that, within a period of five years after planting, are removed, die or become, seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.
Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme and secure Biodiversity Net Gain in accordance with planning policy.

13. No alterations or works to the canal crossing shall be undertaken other than in accordance with details that have received the prior approval of the local planning authority.
Reason: To ensure that work to the canal is acceptable in relation to its protected status.

14. The development shall be implemented in accordance with the Arboricultural Method Statement (Section 3) and Tree Protection Plan (Plan 2) of the approved Arboricultural Appraisal (P:934_AA, Salopian Consultancy Ltd, 30.01.2025). The approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

15. The development hereby permitted shall not be brought into use until the acoustic fence as shown in Drawing SD-13 and positioned as shown in Proposed Layout Drawing PL-01.1 as been erected.
Reason: To protect local amenity.

16. Prior to first occupation / use of the site, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:
- A minimum of 2 external woodcrete bat boxes, suitable for nursery or summer roosting for small crevice dwelling bat species.

- A minimum of 2 artificial nests, of external box design, suitable for starlings (42mm hole, starling specific) and/or sparrows (32mm hole, terrace design).
The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.
Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 180 of the NPPF.

17. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition), or on local amenity. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.
Reason: To minimise disturbance to bats, which are European Protected Species; and protect local amenity.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

18. The approved Construction Traffic Management Plan shall be adhered to throughout the construction period.
Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

19. The development hereby permitted shall not be brought into use until the improvements to the existing access have been completed. The access shall be a minimum width of 6 metres for the first 15 metres and provided with 7.5 metre radii. The space shall be maintained thereafter free of any impediment to its designated use.
Reason: To provide a safe access to the development in the interests of highway safety.

20. The access apron shall be constructed in accordance with the Council's specification currently in force and shall be fully implemented prior to the development being brought into use.
Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

21. Prior to the commencement of the use hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan Drawing No. SA51536-BRY-ST-PL-C-0002. The splay shall thereafter be maintained at all times free from any obstruction above the level of the adjacent highway carriageway.
Reason: To ensure the provision of adequate visibility in the interests of highway safety.

22. No alternative battery unit or associated plant shall be provided at the site to those which have the sound power level as specified within Noise assessment Report Ref 13890.01.V2 Table 5. Any alternative plant shall not be provided other than as approved in writing by the local planning authority.

Reason: To protect local amenity.

23. Within four months of the scheme being fully operational a noise assessment should be undertaken to provide evidence that the level of noise does not adversely affect the nearest noise sensitive receptors. This assessment will be submitted as proof of compliance and maintained thereafter. If compliance has not been achieved the report will propose further mitigation measures to achieve compliance.

Reason: to protect amenity

24. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification, no access gates or other means of closure shall be erected within 15.0 metres of the highway boundary.
Reason: To provide for the standing of parked vehicles clear of the highway carriageway in the interests of highway safety.

25. The development hereby permitted shall be limited to a period of 45 years from the date of the first export of electricity to the Grid. This date is referred to hereinafter as 'the First Export Date'. Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of the First Export Date.

Within a period of 44 years and 6 months following the First Export Date, or in the event of the development hereby permitted ceasing to export electricity to the Grid for a continuous period of more than 12 months then within 6 months from the end of that 12 month non-electricity storing period, a Decommissioning Scheme to include details of the removal of all structures, equipment, and infrastructure relating to the development hereby permitted shall be submitted to the Local Planning Authority. Additional details or a revised Decommissioning Scheme must be submitted if requested by the Local Planning Authority, within its stated timescale. Once the Decommissioning Scheme is approved in writing, the development hereby permitted shall be decommissioned in accordance with the approved details.
Reason: To ensure satisfactory decommissioning and restoration of the site to protect amenity and the character of the area.

Informatives

1. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

2. HIGHWAYS ADVICE

Works on, within or abutting the public highway

Planning permission does not authorise the applicant to:
- construct any means of access over the publicly maintained highway (footway/verge) or
- carry out any works within the publicly maintained highway (street), or
- authorise the laying of private apparatus within the confines of the public highway (street) including any a new utility connection, or
- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway, or
- otherwise restrict any part of the public highway (inc. footway, verge) in any way, for the purposes of constructing the development (i.e. Skips, scaffolding, hording/safety fencing, material storage or construction traffic, etc.)
The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/

Please note Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

No drainage to discharge to highway
Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Mud on highway
The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

S184 Licence
The applicant will require a licence, issued by the Highway Authority, to carry out the necessary works to form the widened access. Details of how to obtain this licence, the charges made and the specification for the works are available by following the link attached to the informative note 'Works on, within or abutting the public highway' attached.

Extraordinary maintenance
The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic. Therefore, it is in the developer's best interest to contact the Council's Streetworks Team, prior to the commencement of any works, to agree the condition of the local highway. If no pre-start condition survey/agreement is made, the Council will assume that the affected street, is in a satisfactory condition. Therefore, any damage occurring to any part of the street during the period of construction, will subsequently become the responsibility of the developer, to repair or contribute towards any additional required maintenance, to make good the damage.

3. ECOLOGY ADVICE

District Level Licence informative
No development shall take place (including vegetation clearance and ground works) until a District Level Licence with respect to great crested newts has been obtained by the developer from Natural England, in accordance with the Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate (Enquiry no. DLL-ENQ-SHRP-00082).

Bats and trees informative
It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

Should any works to mature trees be required in the future (e.g. felling, lopping, crowning, trimming) then this should be preceded by a bat survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works. The bat survey should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's Bat Survey: Good Practice Guidelines (3rd edition).

If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

Nesting birds informative
The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal, scrub removal and/or conversion, renovation and demolition work in buildings (or other suitable nesting habitat) should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

If during construction birds gain access to any of the building and begin nesting, work must cease until the young birds have fledged.

General site informative for wildlife protection
Great crested newts are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as

amended).

Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.

The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Any reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.

4. NETWORK RAIL ADVICE

Due to the nature of the proposals we recommend the applicant contact Network Rail Asset Protection (assetprotectionwales@networkrail.co.uk) prior to works commencing.

5. CANAL AND RIVER TRUST

1. The Applicant/Developer is advised that the works should be carried out in accordance with the 'Trust's Code of Practice for works affecting the Canal and River Trust'. To ensure that any necessary consents are obtained and the works are compliant with the Trust's current "Code of Practice for Works Affecting the Canal & River Trust" please contact Danilo Cugler, Works Engineer in the first instance on Danilo.Cugler@canalrivertrust.org.uk

2. The Applicant/Developer is advised to contact Jeff Peake in the Trust's Estates Team on 07795 226721 or email Jeff.Peake@canalrivertrust.org.uk to ensure that the necessary licences or agreements are obtained before any works are carried out.

3. The Applicant/Developer is advised to contact the Canal & River Trust's Utilities Team to continue discussions in relation to directional drilling for cable crossings, plus any direct or indirect surface water discharges from the development to the adjacent canal restoration line (including any continued use of existing discharges) as it may be necessary to obtain a fresh agreement from the Trust to do so. Please contact Philippa Walker, Regional Utilities Surveyor, at Philippa.Walker@canalrivertrust.org.uk in the first instance.

6. DRAINAGE ADVICE

a. General

A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Council's SUDS Handbook which is available in the Related documents section on the council's website at: https://shropshire.gov.uk/drainage-and-flooding/development-responsibility-and-maintenance/sustainable-drainage-systems-handbook/

The provisions of the Planning Practice Guidance, Flood Risk and Coastal Change, should also be followed.

Any proposed drainage system should follow the drainage hierarchy.

The use of soakaways should be investigated in the first instance for surface water disposal. Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1% Annual Exceedance Probability rainfall event plus an allowance of 40% for climate change. Flood water should not be affecting other buildings or infrastructure. Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

If soakaways are not feasible, drainage calculations to limit the discharge rate from the site, equivalent to a greenfield runoff, rate must be submitted for approval. The attenuation drainage system should be designed so that storm events of up to 1% AEP rainfall event + 40% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity.

The total site area used to estimate the existing Greenfield runoff rate should equal the impermeable area within the proposed development, it should not include any area of soft landscaping or other permeable area.

b. Tanker access

Swept path analysis for the site should include a typical tanker vehicle that would be required to remove contaminated fire water from the site.

c. Foul water - if applicable

If main foul sewer is not available for connection, British Water 'Flows and Loads: 4' should be used to determine the Population Equivalent (PE) for the proposed development and the sizing of the septic tank or package treatment plant and drainage fields should be designed to cater for the correct number of persons and in accordance with the Building Regulations H2.