Planning Inspectorate

Appeal Decision

Site visit made on 27 October 2025

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/E3335/W/25/3369276
Land North of Styles Close, Frome, Somerset BA11 5JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Trina Solar UK HoldCo Ltd against the decision of Somerset Council.
- The application Ref is 2023/1070/FUL.
- The development proposed is described as 'Construction and operation of an energy storage facility, fencing, landscape planting, site access, drainage, infrastructure, lighting, CCTV equipment and underground cabling'.

Decision

1. The appeal is allowed and planning permission is granted for the construction and operation of an energy storage facility, fencing, landscape planting, site access, drainage, infrastructure, lighting, CCTV equipment and underground cabling at Land North of Styles Close, Frome, Somerset BA11 5JS, in accordance with the terms of the application, Ref: 2023/1070/FUL, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The Statement of Common Ground (SOCG) between the Council and appellant has been amended to confirm that the approximate distance between the proposed installation and the nearest residential properties in Styles Close is 30m.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupants of the neighbouring properties in Styles Close, with particular reference to outlook, any noise and disturbance and safety.

Reasons

4. The appeal scheme would encompass the installation of battery units and associated infrastructure including transformers, invertors, a substation and a control building within the existing appeal site, which is currently a paddock with no public access. The proposed compound would be surrounded by fencing that would range in height from 2.4m to 4m. The substation and control building would also be around 4m in height. As such, the proposal would not be a tall installation.

5. There is a notable slope across the appeal site away from the neighbouring houses in Styles Close. Indeed, the land falls by about 7m from the south to the north. Consequently, in views from 93-99 Styles Close the proposal would appear to be on lower land. Furthermore, the 4m acoustic fencing would step down with the

slope of the land. It would therefore appear to have a similar or lower height than the 2.4m fencing proposed at the front of the site. Thus, the low height of the proposal and the slope of the land would lessen the impact on outlook. Furthermore, the intervening distance between the effected properties and the appeal scheme would soften the impact. The effect also needs to be judged in the context that the vistas from the existing properties in Styles Close are already compromised by existing overhead power lines, a pylon and the large substation.

6. That said, as a sizable industrial installation of a utilitarian appearance, the appeal scheme would still appear somewhat stark and dominant in the outlook from Nos 93-99 Styles Close, which are the nearest properties. Indeed, the appeal scheme would be apparent from several windows and the gardens. That said, fencing would provide some mitigation at ground floor level, where the more intensively used parts of the properties are likely to be. The appeal scheme would also erode the green buffer between Styles Close and the railway line to the north, which is an important component in the outlook from Styles Close. The effect on the outlook from 26-28 Styles Close would be significantly less pronounced as these properties do not directly face the appeal site.

7. To mitigate the impact outlined above, the appellant is proposing a comprehensive planting scheme to the rear of Nos 81-99 Styles Close. This would comprise of hedge and tree planting within a wildflower meadow. Visualisations provided by the appellant demonstrate that the proposed planting would be effective in screening the development given its low profile and the local topography. During my site visit, I observed that the planting to the south of the existing substation provides a notable softening effect. This indicates that the proposed planting could have a similar mitigating effect.

8. Therefore, planting could be effective if provided at sufficient density, depth, and thickness to provide a screening effect, even when not in leaf. The planting would also have to be provided at sufficient maturity to ensure there is a prompt softening and screening effect, even at first floor level. Rather than wildflower grassland, which may not be effective due to the shading, it may be more appropriate to plant extra trees. Either way, a suitably worded planning condition can be imposed to secure the details of an appropriate and effective landscaping scheme. Conditions can also be imposed to control the colour finishes of the fencing, substation and control building, as darker colours would complement the planting and provide a recessive appearance. Hardstanding would be softened by the use of grasscrete.

9. Planting close to the rear boundaries of Styles Close would affect the outlook from the neighbouring properties. Indeed, the planting could have more of an enclosing effect than the proposed development, especially as it would obscure views over the green buffer to the north. However, the existing rear outlook is towards overhead power lines, a pylon and a large substation. The proposed planting would therefore soften the impact of both the appeal scheme and the existing infrastructure. The planting would also have texture and seasonal variety which would provide interest. Accordingly, the proposed planting would not harmfully impact the outlook from the properties in Styles Close.

10. Constructing the appeal scheme would inevitably result in some noise and disturbance. However, the impact would be short in duration, at around six months. Noise and disturbance during construction can be addressed by the imposition of a suitably worded condition securing a construction management plan. This would

control hours of operation and include measures to supress dust, noise and vibrations amongst other things.

11. Once constructed, the appeal scheme would be operational over a 24-hour period., albeit remotely with fortnightly visits for maintenance. On this basis only two parking spaces are proposed. This would be a very low level of activity which would not be unduly apparent in a quiet residential cul-de-sac. Moreover, the front and side gardens at Nos 26-28 and 99, which are partially enclosed by fences, would provide a buffer to any activity at the site access. Accordingly, the use of a single site access could occur without harming the living conditions of the occupants of these properties and the cul-de-sac more generally.

12. External lighting would be installed as part of the scheme, but it would only be triggered by movement. It would also be sensitively positioned and utilise a low colour temperature as demonstrated by the submitted lighting scheme, the findings of which the Council has not disputed. As such, lighting would not be on all night or angled towards neighbouring properties. Again, a condition could be imposed to secure details. Similarly, CCTV cameras would be angled into the site so as not to disturb neighbours.

13. The operation of the site would produce some noise, including from fans used to cool the batteries. This would result in noise for (an average) 4 hours a day reaching a maximum of 6 hours. Falling temperatures at night allow the speed of the fans to be reduced. The appellant's acoustician has considered the noise impacts against the relevant British Standard (BS4142:2014+A1:2019) and has concluded that there would be an acceptable effect subject to the installation of an acoustic fence and noise attenuation kits to the invertors.

14. It is unclear why the appellant's submissions do not present the predicted sound level at 99 Styles Close despite this being the location where existing baseline sound levels were monitored. The Noise Report also implies there is a first floor at 28 Styles Close[1], despite this being a bungalow. Interested parties have also suggested that noise readings at a Battery Energy Storage System (BESS) in Taunton returned a result 20db higher than predicted in the Noise Report, whereas the Noise Report has used manufacturers data rather than real life readings. However, it is unclear how the assessment at Taunton was undertaken. Moreover, 28 Styles Close is close to 99 Styles Close and there is nothing of substance before me to demonstrate the effect at these properties would be dissimilar.

15. Significantly, the Council's Environment and Community Protection Officer (ECPO) has reviewed the available information, including the methodology used in the Noise Assessment, wind directions and the slope of the land and shares the same view. Indeed, the ECOP originally recommended refusal but removed this objection following the receipt of additional information.

16. Overall, the submitted Noise Assessment and subsequent documentation[2] has been independently reviewed by the Council and no alternative assessment is before me. I am therefore content to rely on the expert views on this matter. Indeed, the evidence before me demonstrates the proposal would not result in a significant adverse impact, which would otherwise require 'avoidance' in accordance with Paragraph 198 of the National Planning Policy Framework (the

[1] Referred to as 6 Styles Close in the document
[2] Response to Environmental Protection Consultation Response

Framework). On the contrary, the evidence demonstrates the proposal would result in the 'Lowest Observed Adverse Effect Level'. Consequently, it would be appropriate to mitigate, and reduce to a minimum, this effect in the way proposed. Moreover, a condition can be imposed to prevent the operation of the facility if it increases background noise at sensitive receptors by 5db, which is the threshold for an adverse effect in BS4142.

17. Within its Statement of Case the Council have suggested that the operation of the appeal scheme would result in neighbouring occupants having to live with the constant threat of an emergency occurring to the detriment of their living conditions. Several interested parties have also raised concerns about fire, thermal runaway and the risk of explosions. I have already explained that there would be fencing, CCTV and lighting installed to prevent trespass and damage. Regular maintenance would also occur. This is part of a bidirectional risk assessment recommended by government guidance[3] aimed at significantly reducing the risk of a fault occurring and thus fire, explosion and release of toxic gases.

18. Furthermore, fire detection and prevention equipment would be installed in all battery units. The batteries would be continuously monitored and automatically shut down if there are any abnormalities. Each battery unit would also be equipped with an inert gas aerosol suppression system to extinguish fires if they were to occur, and each battery cabinet would be ventilated to remove the risk of pressure build up. The batteries may be imported from abroad, but they would need to be certified to national and international safety standards. The Transport Assessment also demonstrates that large vehicles of a similar size to a fire engine would be able to enter the site, safely manoeuvre using the turning head and then exit. There is a fire hydrant within 90m of the site negating the need for an onsite water tank.

19. In formulating safety measures, the appellant has had regard to guidance prepared by the National Fire Chiefs Council (NFCC)[4]. However, it has not incorporated all of the measures, such as a 6m separation distance between batteries, a 10m distance from vegetation and provision of a second access to allow emergency responders to enter the site if the primary entrance is blocked. Nevertheless, the NFCC provides general guidance, compliance with which is not an explicit requirement of statute or policy. Indeed, the PPG[5] simply encourages applicants to consider this guidance. Moreover, there are other commonly cited standards which allow for the batteries to be closer than 6m[6].

20. Significantly, Devon and Somerset Fire and Rescue Services (DSFRS) have not objected to the proposal. This conclusion followed an analysis of the specifics of the scheme (including the fire detection, suppression and monitoring proposals) in its local context and site conditions, including the risk of toxic fumes and contamination of the area in the event of a significant fire. The DSFRS assessment would also have factored in its capabilities and obligations in the context of the Fire and Rescue Services Act 2004 and the location of crews with HAZMAT equipment. The Council's Environment and Community Protection Officer has not objected either despite the concerns raised over contamination if a fire were to occur.

[3] Health and Safety in Grid Scale Electrical Energy Storage Systems 18 April 2024
[4] Grid Scale Battery Energy Storage System Planning – Guidance for FRS 2023
[5] Paragraph: 034 Reference ID: 5-034-20230814
[6] NFPA 855 as referred to in Health and Safety in Grid Scale Electrical Energy Storage Systems 18 April 2024

21. Contrary to guidance provided by the Strategic Land Group, the NFCC recommends[7] a minimum distance of 25m between battery units and occupied site boundaries prior to any mitigation provided by blast walls. The proposal would exceed the distance but is not proposing blast walls. Again, DSFRS have not objected on this basis. I afford this expert view significant weight, especially as I have no substantive reason to conclude the findings of DSFRS were based on the error replicated in the SOCG (which suggested residential properties in Styles Close would be 105m from the batteries). On the contrary, DSFRS would have had access to the scaled plans, which are accurate and show the distance to neighbouring properties.

22. The comments from DSFRS indicate some areas where further details would be required from the appellant, but this can be secured through a planning condition requiring a Battery Safety Management Plan prior to development commencing.

23. Moreover, a report by the Environment Agency[8] details that lithium-ion batteries, such as those proposed, are the favoured choice for battery energy storage. A briefing paper prepared by the House of Commons Library in April 2024 titled 'Battery energy storage systems' estimates that only 1 in 40 million battery cells experience a failure that results in fire. It also stated that only one fire incident has occurred in the UK. This fire related to nickel manganese cobalt batteries, which are a different chemical composition to that proposed[9]. Interested parties have referred to three other fires that have occurred at BESS sites this year, including one in Essex. However, it is unclear if these used the same batteries. In any event, the fires were quickly brought under control. Overall, the evidence before me strongly indicates that fires are very rare and in the unlikely event they occur, the incident can be brought under control with effective emergency planning by the site owner and fire services.

24. The scheme would be under high voltage power lines, which is apparently at odds with guidance provided by Aviva Insurance. There is also concern that an incident at the appeal site could result in the adjoining substation having to be closed, which would affect the power supply in the area. However, the likelihood of an incident is very low for the reasons already set out, and I understand that the proposal would maintain the required safety clearance from the overhead power lines required by SSE's health and safety guidance. Indeed, SEE have not objected to the scheme.

25. A recent fire occurred at the overhead lines crossing the appeal site, but this was caused by a voltage spike. The appeal scheme is designed to prevent such occurrences. Reference has also been made to an appeal[10] which was refused on safety grounds. However, in that instance the Inspector was not satisfied, based on comments provided by the fire service, that there was sufficient information to positively conclude on safety. That is not the case in the appeal before me. Indeed, the appellant has provided ample evidence including a Fire Safety Approach Statement, a Fire Suppression System Design report and an On-Site Incident Response Plan. The latter would address the risks from toxic gas and water pollution in the event of an incident.

[7] I understand that a draft update is being prepared, but in the interim the NPCC states that the 2023 version should be used
[8] Net-zero- Environmental Implications of Energy Storage Technologies
[9] Which are Lithium Ferro Phosphate (LFP) batteries, which, I understand, are less prone to entering into a thermal runaway event, have a broader safe operational temperature range and in the unlikely event that they do enter into a thermal runaway event, the chemistry has a lower temperature and releases less pollutant gases in comparison with other battery chemistries
[10] APP/U1105/W/23/3319803

26. If a fire were to occur requiring attendance and action by the fire service, then large amounts of water could be used to control it. There is a concern that any contaminated water resulting from this could have a catastrophic effect on the biodiversity and the water quality of the nearby Rodden Brook if it were to enter this stream, which is a priority habitat. However, in the first instance the On-Site Incident Response Plan indicates that water would not be used directly on the batteries. Instead, a defensive approach would be followed whereby water is used to cool the sealed units, thereby reducing the risk of the water becoming contaminated. The appellant has also suggested that mitigation methods would be put in place to ensure that any potentially contaminated water is captured and tested prior to discharge off the site and appropriately disposed of.

27. Accordingly, a condition has been recommended that would prevent development occurring until an acceptable Method Statement and Emergency Plan for Pollution Control is approved. This would be monitored and enforced by the Council. The plan would build on the submitted On-Site Incident Response Plan. When considering this plan, the Council can consult the Environment Agency (EA), thereby addressing the EA's comments that it would require assurances that the Rodden Stream and ground water would not be adversely affected during the construction and future operation of the appeal scheme. It is of note that the EA have not objected to the scheme and nor has the Council's Ecologist.

28. It has been suggested that the proposal would not adhere to the Control of Major Accident Hazards Regulations. This is not something for me to determine within the context of this appeal. In any event, Paragraph 201 of the Framework explains that the focus of planning policies is to consider whether a proposal is an acceptable use of land, rather than control processes or emissions subject to other pollution control regimes. For example, DSFRS has referred to its enforcement powers under the Regulatory Reform (Fire Safety) Order 2005 and the need to adhere to the Building Regulations. Government guidance[11] also outlines Health and Safety procedures and standards, including risk assessments. Planning decisions should assume that these regimes will operate effectively.

29. I appreciate that the foregoing may not result in many of the occupants of nearby properties being comfortable living near to the proposed development. Indeed, there has been a large level of local objection despite the material provided by the appellant and endorsed by the Council and DSFRS. However, I afford significant weight to the expert views provided, especially that of the DSFRS. Accordingly, the balance of the evidence before me demonstrates the proposal would not result in an unacceptable safety risk such that living conditions would be harmed.

30. In conclusion, the appeal scheme would not adversely impact the living conditions of the occupants of the neighbouring properties in Styles Close. Accordingly, there would be no conflict with Policies DP1, DP7 and DP8 of the Mendip Local Plan Part 1 2006-2029 (LP), which seek to secure development that protects local identity, the amenity of users of neighbouring buildings and land uses, provides a satisfactory environment for current and future occupants and does not give rise to unacceptable adverse environmental impacts, including to residential amenity. As I have concluded that there would be no harm to living conditions, there is no conflict with guidance in the Framework which seeks to avoid unacceptable risks to health, amenity and safety and minimise land-use conflict.

[11] Health and Safety in Grid Scale Electrical Energy Storage Systems 18 April 2024

Other Matters

31. Concerns have been raised that the proposal would be too close to schools, a care home and a nursery and residents would struggle to evacuate quickly in an emergency. However, I have explained that the likelihood of an emergency is very low. Giving my findings above, and because these other uses are further away than the nearest residential properties, I am satisfied there would be no adverse impact.

32. The appeal scheme would be an industrial installation at a greenfield site within the countryside. Being outside the development limits of Frome, the proposal does not gain explicit support from either the Frome Neighbourhood Plan or the LP. However, Core Policy 1 of the LP provides some support for economic development outside of development limits and seeks to direct most new development to the principal settlements, which includes Frome. The appellant has also voluntarily undertaken a Brownfield Sites Assessment Report, which is not explicitly required by local policy, to demonstrate that there are no suitably located previously developed sites available.

33. Significantly, Paragraph 161 of the Framework explains, as a material consideration, that the planning system should support infrastructure associated with the transition to net zero by 2050. The Planning Practice Guide[12] explains how electricity storage can contribute to this. In so doing, carbon emissions are reduced. Furthermore, Paragraph 168 of the Framework confirms that the developer should not be required to demonstrate the overall need for low carbon energy infrastructure. I therefore concur with the SOCG, which states that the principle of the proposed development in this location is acceptable.

34. The appeal scheme would result in some harm to landscape character and the loss of a small area of land that could be put to agricultural use. However, some effect on landscape character is to be expected as an inevitable consequence of installing energy infrastructure in the countryside. In this instance, the impact on the landscape would be minimised by siting the scheme next to existing energy infrastructure, close to a rail line and on the edge of a town where surrounding housing is very visible. In this context, the appeal scheme would not appear isolated or incongruous, a point aided by the spatial and visual containment provided by the thick hedge on the eastern boundary. The proposed landscaping along the southern boundary of the site would also soften the impact of both existing and proposed development. I am also mindful that the proposal is for a temporary period, albeit a long one. Overall, the localised impact on the landscape, the character and appearance of the area and agricultural land would be acceptable when weighed against the notable benefits of the scheme[13], which are not disputed by the Council.

35. Transporting the batteries and constructing the scheme would result in carbon emissions, but I have seen nothing of substance that demonstrates the net overall effect on carbon emissions would be negative when accounting for the savings and efficiencies the proposal would facilitate. Neither the Local Highway Authority nor DSFRS have objected to the site access, the number of access points or the extent of manoeuvring and turning space within the site. Again, I have no substantive reason to depart from these impartial expert views.

[12] Paragraph: 032 Reference ID: 5-032-20230814
[13] As listed in Paragraph 5.44 of the SOCG

36. Giving my findings in respect of the impact on livings conditions, I do not consider the affected properties would become unoccupiable and therefore economic displacement from residents moving away would not be an inevitable consequence of the appeal scheme. The appeal scheme would not provide direct financial compensation to residents, but there is no requirement for it to do so. There is a suggestion that the appeal should not be determined until parliament has provided new legislation relating to BESS. Indeed, reference has been made to concerns raised by Members of Parliament around BESS[14]. However, in the absence of specific proposals at an advanced stage of preparation, it is incumbent on me to base my decision on current legislation and policy.

37. Concerns have been raised that the proposal would adversely affect bats given the site's location within the Mells Valley SAC bat consultation zone, the impact zone of nearby Sites of Special Scientific Interest and because of local bat sightings. To this end, an assessment has been undertaken by the appellant and reviewed by the Council's Ecologist. I am therefore content to adopt the findings. This concluded that the site is of low value for foraging and commuting bats. Nevertheless, bats may be present from time to time and therefore the lighting would be installed sensitively and bat habitat enhancements secured. Thus, the evidence before me adequately demonstrates that bats would not be adversely affected by the proposal. Moreover, I share the conclusions in the appellant's shadow Habitat Regulations Assessment that the proposal would not have direct or indirect significant adverse effects, either alone or in combination with other plans and projects, on the integrity and conservation objectives of any Habitat Sites[15]. An 'appropriate assessment' is therefore unnecessary and Natural England have not objected.

38. In general, and after considering the Preliminary Ecological Assessment and the proposed mitigation and enhancement measures, the Council's Ecologist are content that the proposal can deliver a net gain to biodiversity and safeguard protected species. I have no substantive reason to disagree. Subject to conditions securing a surface water drainage scheme, the proposal would not pollute water. On this basis, the Lead Local Flood Authority have not objected, and I have no substantive reason to depart from this expert view. Given my overall finding, the proposal would not set an undesirable precedent. In any event, each scheme is to be considered on its own merits.

Planning Obligation and Conditions

39. A planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 has been submitted in the form of an agreement. This secures a biodiversity net gain strategy and a landscape and ecological management plan. It includes offsite 'mitigation land' outside the appeal site to compensate for the loss of existing neutral grassland and thus adhere to Policy DP5 of the LP. I understand that the off-site area is not in Somerset, but it would nevertheless be close to the appeal site. The obligations are therefore necessary to secure a net gain to biodiversity and thus make the development acceptable. The obligations are also directly related to the effects of the proposal and is fair in scale. I have therefore

[14] 25 June 2025 in the House of Commons a presentation to the speaker of the house regarding the current climate of BESS planning applications was made
[15] The Mells Valley, Mendip Woodlands, Salisbury Plain, Bath and Bradford on Avon and River Avon Special Area of Conservations and the Salisbury Plain Special Protection Area

taken the obligations into account when having regard to Regulation 122 of the Community Infrastructure Levy Regulations and Paragraph 58 of the Framework.

40. Turning to conditions. I have had regard to the advice in the Planning Practice Guide and the conditions suggested by the Council and appellant in the SOCG. I have made minor amendments where necessary in the interests of precision and enforceability. In addition to the standard commencement condition, it is necessary to impose a drawings condition in the interests of clarity. To secure the temporary nature of the proposal it is necessary to impose a condition in that regard. It follows that it is also necessary to secure a scheme of decommissioning and site restoration at the end of the temporary period.

41. In the interests of public safety, it is necessary to secure a Battery Safety Management Plan. To protect the environment in an emergency, especially the Rodden Stream, it is necessary to prevent development occurring until an acceptable Method Statement and Emergency Plan for Pollution Control is approved. To manage surface water more generally it is necessary to secure a surface water drainage scheme. In the interests of safeguarding the character and appearance of the area and the living conditions of neighbours, it is necessary to secure a landscaping scheme and details of external materials, gates and fencing, tree protection fencing and an arboricultural method statement.

42. To safeguard living conditions and biodiversity, it is necessary to secure details of external lighting, noise mitigation, construction management and a suite of biodiversity enhancements. In the interests of cultural heritage, it is necessary to secure a written scheme of archaeological investigation. In the interests of highway safety, it is necessary to mitigate for any damage to the highway.

43. Pre commencement conditions have been imposed because the matters required to be approved at this stage affect the design and/or layout of the proposal or seek to mitigate impacts arising during the construction phase.

Conclusion

44. The appeal scheme would adhere to the development plan taken as a whole and there are no other considerations which outweigh this finding. Accordingly, when having regard to all matters raised, I conclude that the appeal should be allowed.

Graham Chamberlain,
INSPECTOR

Schedule of Planning Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. Subject to the other conditions hereby imposed, the development hereby permitted shall be carried out in accordance with the following plans:
FP-DWG-01 - SITE LOCATION PLAN - 13.06.2023
F-6 A - LANDSCAPE STRATEGY PLAN - 29.09.2023
FP-DWG-02 REV01 - SITE LAYOUT PLAN - 29.09.2023
FP-DWG-04 REV01- SITE ELEVATIONS - 29.09.2023
FP-DWG-06 REV01 - SITE LEVELS PLAN 2 PROPOSED LEVELS - 29.09.2023
FP-DWG-03 REV 01- SITE CROSS SECTIONS - 29.09.2023
FP-DWG-07 - SSE SUBSTATION - 133.06.23
FP-DWG-08 - CLIENT CONTROL ROOM - 133.06.23
FP-DWG-09 - AUXILARY TRANSFORMER PLAN AND ELEVATIONS - 133.06.23
FP-DWG-10 - ELEMENTA BATTERY PLAN AND ELEVATIONS - 13.06.23
FP-DWG-11 - MV TRANSFORMER PLAN AND ELEVATIONS - 13.06.23
FP-DWG-12 - PCS INVERTERS PLAN AND ELEVATIONS - 13.06.23
FP-DWG-13 - BIC UNIT PLAN AND ELEVATIONS - 13.06.23
FP-DWG-14 - CCTV COLUMN PLAN AND ELEVATIONS - 13.06.23

3. The permission hereby granted shall expire no later than 40 years from the date of this permission.

4. Not later than 12 months before the expiry of this permission as referred to in Condition 3, or, if before then, within 6 months of the point where the development hereby permitted permanently ceases to operate, a decommissioning and site restoration scheme, including a programme of implementation, shall be submitted to the local planning authority for written approval. For the avoidance of doubt the development would be considered to have permanently ceased operation when it has not exported to the grid for 12 months. The scheme shall make provision for, as a minimum, the removal of all above ground equipment and foundations to a depth of at least one metre below finished ground level. The approved scheme shall thereafter be fully implemented in accordance with the approved details.

5. No batteries shall be brought onto to site until a Battery Safety Management Plan (BSMP) and a On Site Incident Response Plan are submitted to and approved in writing by the Local Planning Authority, following the guidance set out in 'Grid Scale Battery Energy Storage System planning - Guidance for FRS' (or adopted update) prepared by the National Fire Chiefs Council (NFCC). The development shall be implemented and operated in accordance with the approved details.

6. No development shall commence until a detailed method statement and emergency plan for pollution control in the event of, and remediation following, a battery fire incident has been submitted to and approved in writing by the local planning authority. The detailed method statement and emergency plan for pollution control shall include, but not necessarily be limited to:

- The pollution control methods used in case of a fire, such as how and when valves will be closed to ensure firewater is stored on site and ensuring there is sufficient capacity within the system if needed.
- How and where contaminated water, materials and drainage infrastructure will be sampled, managed and remediated/replaced following a fire incident to ensure no contamination enters the environment when normal operation resumes.

The approved method statement and emergency plan for pollution control shall be implemented in the event of a fire incident and thereafter adhered to.

7. No development shall commence until a final scheme to dispose of surface water has been submitted to and approved in writing by the local planning authority. This shall include impermeable areas surrounding the battery units, a directed flow hydrobrake chamber restricting run off of contaminated firewater, and a contaminated effluent storage area also with impermeable areas surround it. The final drainage designs must demonstrate that in the event of a battery fire, all firefighting effluent can be retained on site with no discharge to surface or ground waterbodies. The scheme shall be implemented as approved prior to the development becoming operational and shall be retained thereafter for the lifetime of the development.

8. Notwithstanding the submitted details, and prior to the development becoming operational, a hard and soft landscaping scheme shall be submitted to and approved in writing by the local planning authority. The approved landscaping works shall thereafter be carried out prior to the development becoming operational or in accordance with a programme approved in writing by the local planning authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the local planning authority. All hard landscape works shall be permanently retained in accordance with approved details.

9. No external facing materials in respect of the walls and roofs of the substation, client control room and elementa battery buildings hereby approved shall be constructed or installed unless in accordance with a schedule of materials and finishes to be used in the construction of the external surfaces that has first been submitted to and approved in writing by the local planning authority. The buildings hereby approved shall thereafter be constructed in accordance with the approved details.

10. Prior to the development being operational details of design and materials of all forms of hard boundary treatments (gates and fencing) shall have been submitted to and approved in writing by the local planning authority. This shall include details of the colour finish of all fencing and how it shall be dressed in anti-flammable material in line with the approved draft 'On-Site Incident Response Plan'. The fencing shall thereafter be erected in accordance with the approved details.

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

    a. Risk assessment of potentially damaging construction activities.

    b. Identification of "biodiversity protection zones" including adjacent lowland meadow and Rodden Lake Stream, trees, hedgerows and scrub.

    c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including nesting birds habitat clearance measures, badgers buffer zones etc.

    d. The location and timing of sensitive works to avoid harm to biodiversity features.

    e. The times during construction when specialist ecologists need to be present on site to oversee works.

    f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority

    g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;

    h. Use of protective fences, exclusion barriers and warning signs.

    i. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

    The construction of the development shall thereafter be carried out strictly in accordance with the approved CEMP.

12. No external lighting, other than that shown on the approved plans, shall be installed within the boundary of the application site unless in strict accordance with specifications and locations set out in the design (Lighting Summary Report, dpa lighting consultants, April 2023 RevA) or as otherwise approved in writing by the local planning authority.

13. The development hereby approved shall not be brought into use until the following biodiversity enhancements have been fully implemented:

    a) One log pile as a resting place for reptiles and or amphibians constructed within the southern extent of the site;

    b) Fencing to be erected with occasional gaps of approximately 13cm by 13cm in the base of the wall or fence to allow hedgehogs and other animals to enter and exit the site;

    c) One Vivara Pro Seville 32mm WoodStone Nest Box (or similar) is installed in the hedgerow facing east or north, at a height above 3m.

    d) Installation of one Kent bat box, purchased or built, on to a mature tree on site, facing south or west, at a height above 3m. All biodiversity enhancement

measures shall be retained and maintained throughout the life of the planning permission.

14. No development shall commence until a Detailed Arboricultural Method Statement following the recommendations contained within BS5837:2012 has been submitted to and approved in writing by the local planning authority. The Detailed Arboricultural Method Statement shall contain full details of the following:

    (a) Timing and phasing of arboricultural works in relation to the approved development.

    (b) Construction exclusion zones.

    (c) Protective barrier fencing.

    (d) Ground protection.

    (e) Details of any works within the RPA (Root Protection Area) and the proposed arboricultural supervision.

    (f) Service positions.

    (g) Details of any special engineering requirements, including 'no dig construction'.

    (h) A Tree Protection Plan The development shall thereafter be carried out in strict accordance with the approved details.

15. No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012 identifying measures (fencing and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the local planning authority. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan shall include the design of fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery. No development activity shall commence until the protective measures as stated in the approved annotated tree protection plan are implemented.

16. Following the construction stage, the development shall cease if the rating level of any sound arising due to the use hereby permitted exceeds the prevailing background noise levels (LA90) by 5 dB at the nearest noise sensitive property at all times when assessed in accordance with BS4142:2014 + A1:2019 (or subsequent amended versions).

17. No development shall commence, including site clearance, groundworks or construction, unless a Construction Management Plan (CMP) to manage the impacts of construction during the life of the works has been submitted to and approved in writing by the local planning authority. The CMP shall include:

    a) Measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction

b) Measures to regulate the on-site routing of construction traffic

c) The location and covering of stockpiles

d) Details of measures to prevent mud from vehicles leaving the site, including wheel washing facilities

e) Control of fugitive dust from earthworks and construction activities

f) Dust suppression measures

g) A noise and vibration control plan (which includes control methods) to include mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 'Code of practice for noise and vibration control on construction and open sites'

h) A waste disposal policy (to include no burning on site)

i) Measures for controlling the use of site lighting whether required for safe working or for security purposes

j) Details of any site construction office, compound and ancillary facility buildings

k) Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto

l) A 24 hour point of contact (such as a construction liaison officer/site manager) and details of how complaints will be addressed, including an appropriate phone number

m) Prevention of nuisance caused by radios, alarms, PA systems or raised voices

n) Locations for loading/unloading and storage of plant, waste and construction materials

o) Measures to protect vulnerable road users (cyclists and pedestrians)

p) Any necessary temporary traffic management measures

q) Arrangements for turning vehicles

r) Arrangements to receive abnormal loads or unusually large vehicles

s) Methods of communicating the CMP to staff, visitors and neighbouring residents and businesses.

Noise generating construction activities shall not occur outside of the following hours, or as otherwise approved in writing by the local planning authority: - Mon - Fri 08:00-18:00 - Sat 08:00 -13:00. All other times, including Sundays, bank and public holidays, there shall be no such noise generating activities.

The approved CMP shall be adhered to throughout the demolition and construction period.

18. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the

Planning Authority. The WSI shall include details of the archaeological monitoring, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

19. No development shall take place and no construction traffic shall enter the site until a Highways Method Statement setting out the details for predevelopment and post construction highway dilapidation surveys, from the proposed site access and along the adopted highway along Styles Close up to the A3098 has been submitted to and approved in writing by the local planning authority.

20. No development shall take place and no construction traffic shall enter the site until a pre-development highway dilapidation survey undertaken in accordance with the approved Highways Method Statement has been submitted to and approved in writing by the local planning authority.

21. Within one month of the site becoming operational, a post-construction highway dilapidation survey shall be undertaken in accordance with the approved Highways Method Statement and a scheme of mitigation works including a timetable for their implementation shall be submitted to and approved in writing by the local planning authority. The scheme of mitigation works shall be carried out in accordance with the approved timetable for implementation.

End of Schedule