
Appeal Decision

Site visit made on 25 November 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Appeal Ref: APP/Z3635/W/25/3374044

Land to Northeast of Eco Park, Charlton Lane, Shepperton TW17 8QA

- 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 Sunbury BESS Ltd against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01112/FUL.
 - The development proposed is the construction of and operation of a Battery Energy Storage System (BESS) comprising 25 containerised battery units providing an installed storage capacity of up to 200 MWh, together with associated inverters and infrastructure delivering an export capacity of up to 200 MW, and associated access, internal roads, landscaping and cable route works.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of and operation of a Battery Energy Storage System comprising 25 containerised battery units providing an installed storage capacity of up to 200 MWh, together with associated inverters and infrastructure delivering an export capacity of up to 200MW, and associated access, internal roads, landscaping and cable route works at Land to Northeast of Eco Park, Charlton Lane, Shepperton TW17 8QA in accordance with the terms of the application, Ref 24/01112/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Given that the description of development on the planning form, the Council's decision notice and the appellant's Statement of Case are all different, I have sought clarification. The description of development I have set out above is that provided by the appellant in response. I am satisfied that it accurately reflects amendments to the proposed development that were made during the application process. The Council had the opportunity to comment on the description that I have used, and I have no reason to believe that any party would be prejudiced by my adopting it within this decision.
3. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes are proposed as part of this consultation, these could be subject to further change and can only be given limited weight at this stage. It has therefore not been necessary to consult the parties on the proposed changes, and in my decision, I have had regard to the Framework published in December 2024.

Main Issues

4. The appeal site is located within the Green Belt. The main parties have agreed that the proposed development would represent inappropriate development under

the terms of paragraph 154 of the Framework. Based on the evidence before me, I agree.

5. The main issues, therefore, are:

- the effect of the proposed development on the openness of the Green Belt and the purposes of including land within it; and
- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposed development.

Reasons

Openness and Purposes

6. The proposed development is a battery energy storage system (BESS) fenced compound for 25 battery container units, each comprising an industrial lithium iron battery complete with a battery management system and mechanical ventilation, 25 transformers, grid compliance equipment, switchgear housing, security cameras, lighting, water tanks, underground electrical cabling and electrical connection corridor. Landscaping and biodiversity enhancement is also proposed on land adjoining the BESS. The proposed development would be for a period of 40 years with a 200 megawatt capacity.
7. The appeal site comprises a flat area of land that was formerly part of gravel workings, subsequently landfilled and restored to grassland containing several trees. It lies close to the M3 Motorway, a railway line and the Eco Park Recycling Centre that covers an extensive area and contains several large buildings and structures.
8. The Framework, at paragraph 142, sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Saved Policy GB1 of the LP¹, amongst other things, states that development will not be permitted which would conflict with the purposes of the Green Belt and requires that its openness is maintained.
9. In spatial terms, the introduction of industrial features including extensive areas of hardstanding set within an enclosed compound would erode the open, undeveloped nature of the appeal site. Consequently, it would result in the reduction in the openness of the Green Belt in spatial terms.
10. As identified in the appellant's Landscape and Visual Appraisal and Addendum (LVIA), the openness of the site is mainly experienced in short distance views from public rights of way that lie close to the site, and from elevated medium distance views from Charlton Lane and the Windmill Road bridge over the M3 Motorway. There would also be views of the proposed development whilst travelling along the M3 Motorway, but these would be fleeting.
11. The proposed development would bring a change from an open green field to an industrial compound containing utilitarian structures. Although existing planting would partially screen the compound when initially installed, it would be seen as an

¹ Spelthorne Borough Local Plan 2001 'Saved' Policies and Proposals as at 28 September 2007 (March 2008).

urban feature in the identified short and medium distance views for a period of up to 10 years whilst the proposed planting matures.

12. The Planning Practice Guidance (PPG) confirms that factors, including the duration of development and its remediability, can be taken into account when considering the potential impact of the development on the openness of the Green Belt². Although 40 years is a considerable period, the openness would not be permanently lost. Given that I could impose conditions to ensure that the permission would be restricted to this time period, and to require subsequent decommissioning and reinstatement of the land, I am satisfied that this would, to a limited extent, temper the impact of the proposal on the Green Belt. Overall, taking into consideration that the proposed development is not permanent, I find that it would result in considerable harm to the spatial and visual openness of the Green Belt.
13. The Framework identifies, at paragraph 143, that the Green Belt serves five purposes. The appeal site is not immediately adjacent to any built-up area being separated from them by open fields and bodies of water. As such, the proposed development would be physically and visually discrete. In this context, and contrary to the Council's position, the site does not strongly contribute to purpose 143a), to check the unrestricted sprawl of large built-up areas.
14. The proposed development would, however, introduce a range of industrial plant within a fenced compound into an area of countryside which is currently devoid of built form. Accordingly, it would conflict with Green Belt purpose 143c), to assist in safeguarding the countryside from encroachment.
15. I conclude, therefore, that the proposed development would cause considerable harm to the openness of the Green Belt. It would also conflict with its purpose to assist in safeguarding the countryside from encroachment. The Framework at paragraph 153 requires that I give this harm substantial weight. In addition, the proposal would be contrary to LP Policy GB1, which seeks to resist development that would conflict with the purposes of the Green Belt, and which would not maintain its openness.

Other considerations

16. The PPG outlines that electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively, for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity³. The PPG therefore categorises BESS facilities as 'renewable and low carbon energy'.
17. The Government has well publicised net zero ambitions and targets and, I note, the Council declared a climate change emergency in October 2020. The proposed development would store up to 200 megawatts of surplus electricity resulting from periods where the electricity network is effectively over supplied by existing energy generating sources, both renewable and non-renewable. Such energy, which would otherwise be wasted, can then be exported back into the grid during low generation periods or at periods of high demand. Consequently, although not a

² Green Belt - Paragraph: 013 Reference ID: 64-013-20250225

³ Renewable and low carbon energy - Paragraph: 032 Reference ID: 5-032-20230814

producer of renewable energy and not directly associated with a particular renewable energy project, the proposed BESS would, nonetheless, make a meaningful contribution towards the delivery of climate change through renewable and low carbon energy and meeting net zero targets. In accordance with paragraph 168 of the Framework, substantial weight is afforded to such benefits.

18. The appellant has identified that a key locational requirement for the proposed development is the availability of a suitable and available connection point at the Laleham substation. The consideration of alternative sites is not required by the Framework or PPG. However, the lack of available alternative sites may contribute towards very special circumstances and in recognition of this, the appellant has submitted a Site Selection Report (the Report) which considers a search area of 3-kilometres from the connection point.
19. The Report indicates that there are no suitable sites located within the urban areas, which is not disputed by the Council. It identifies several alternative locations within the Green Belt, which are all discounted.
20. I acknowledge that the Council and interested parties consider that, due to insufficient evidence, it has not been confirmed that the proposed development could not be provided in a less harmful location elsewhere. Nevertheless, in the absence of anything to demonstrate that the conclusions of the Report are unreliable, and as no unconsidered site has been presented, I have no reason to consider that an alternative, and less harmful, site exists. This attracts modest weight in favour of the proposal.
21. There would be economic benefits derived from construction and decommissioning of the proposed development and, albeit limited, employment required in the operation of the facility. However, as the economic benefits have not been quantified, I can only assign them limited weight.
22. The proposed development would result in a biodiversity net loss onsite. Nevertheless, if the appeal were to succeed, it would be subject to the pre-commencement biodiversity gain condition as set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended) (TCPA). This would require the proposed development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. It is common ground that offsite provision will be required, and there is no dispute between the parties that the biodiversity gain condition could be successfully discharged. There is nothing before me that would lead me to disagree.
23. Such off-site provision would assist in the reversal of a national decline in biodiversity. Nonetheless, as there is nothing before me that suggests that biodiversity net gain would exceed the required 10%, I give this benefit only limited weight in favour of the proposed development.
24. The appellant has indicated that the developer would be keen to discuss support for the local community through a community fund. However, no evidence has been provided to demonstrate that such a contribution is justified and would meet the tests set out in paragraph 58 of the Framework. Furthermore, as no mechanism is before me to secure that fund there is no certainty that it would be provided. Consequently, it does not amount to a benefit to which I can attribute material weight in favour of the proposed development.

Other Matters

25. I have had regard to the fears raised by interested parties that the proposed development would pose a fire hazard. However, this is not a concern raised by the Council, and I note that the Health and Safety Executive (HSE) and the Surrey Fire and Rescue Service (SFRS) have raised no objections. There is nothing before me that leads me to conclude that the views of the HSE and SFRS are not robust or reliable.
26. Accordingly, I find that, provided measures to address fire safety are secured by condition, the proposed development would not be unsafe, even when its location next to a waste recycling plant is taken into consideration. Furthermore, no robust evidence has been presented to suggest that the BESS would pose other health risks to the pupils and staff at nearby schools and/or nearby residents.
27. The appellant's noise assessment concludes that overall, and when assessed on a worst-case basis, noise from the proposed development is predicted to have a low impact and noise levels would fall within the No Observed Adverse Effect Level. In the absence of any substantive evidence to the contrary and noting that the Council has not objected on such grounds, I find no reason to dispute the findings of the Report. Therefore, I am satisfied that, subject to a suitably worded condition, the proposed development would not give rise to unsatisfactory noise levels at any nearby residential properties. Furthermore, any noise disturbance, dust and traffic movements generated during the construction period, including the installation of underground cables, would be short-term and could be mitigated by careful construction management.
28. The proposed BESS would be in Flood Zone 1, where the risk of flooding is low. Whilst sections of the cable route would be within Flood Zones 2 and 3 where there is a medium to high probability of flooding, such cabling would be water resistant so that, once laid, would not be affected by any flooding that could occur. Additionally, the proposed development is supported by a specification of works relating to site drainage and environmental protection.
29. Taking such matters into consideration, I find no reason to disagree with the conclusions of the Council, the Lead Local Flood Authority and the Environment Agency, that subject to conditions the proposed development would not increase the risk of flooding. Additionally, there is no substantive evidence before me to support the contention that the appeal proposal would pose an unacceptable risk of contamination to the environment, including ground water and drinking water stored at the Queen Mary Reservoir.
30. The appellant's Transport Statement (TS) acknowledges that on average four two-way vehicle movements per day would be generated during the construction phase of the proposed development for a period of 36 to 40 weeks. It is reasonable to consider that similar vehicle movements would be generated during the decommissioning phase. During the operational phase, the TS indicates that there would be a minimal increase in traffic, of around four two-way vehicle movements per month. In the context of existing traffic movements, I find that such an increase would not be significant.
31. I note that Highway Authority and National Highways have raised no objections. In the absence of any substantive evidence to the contrary, I find no reason to dispute the findings of the TS or to disagree with its conclusions that there are no

highway safety or capacity grounds that would justify the refusal of the proposed development.

32. There is nothing before me to suggest that, contrary to the conclusions of the submitted Ecological Appraisal, the proposed development would have a material adverse effect on ecology provided that mitigation measures are secured.
33. As referred to above, existing planting would partially screen the compound. This would be supplemented with additional planting that would limit the visual envelope of the site. As such, the proposed development would only have a minor impact in its context, which includes the Eco Park Recycling Centre, the railway line and the motorway. Accordingly, although structures up to a 6.8 metre height would be within the compound, I find that it would not have an unacceptable urbanising impact on the surrounding area and would not adversely affect the outlook of nearby residents. Furthermore, the proposal would not result in an irreversible loss or degradation of the land due to its temporary status and subject to the restoration of the site at the end of the proposed development which could be secured by condition.
34. The proposed development would prevent access to part of the restored landscape adjoining the Eco Park Recycling Centre and the motorway. However, this would not be permanent, and the surrounding land would remain open and accessible.
35. I have also had regard to the other matters raised by interested parties, including concerns regarding vulnerability of the site to attack given it is next to the motorway; damage to roads; existing problems with rodents, noise and odours; the extent of other construction works recently experienced by nearby residents; and that the choice of site was motivated by financial reasons only. Nonetheless, there is nothing before me that would lead me to determine that the proposed development would result in material harm sufficient to justify dismissing this appeal.
36. Reference has been made within representations to inconsistencies and inaccuracies within the appellant's evidence. However, there is nothing before me that suggests that the submitted documents cannot, overall, be relied upon to provide an understanding of the proposed development and enable a robust assessment of its implications.
37. Concerns have been expressed regarding child labour and the unethical sourcing of critical minerals in the construction of the proposed BESS. However, there is no evidence to demonstrate that this would be the case so I cannot afford this weight against the proposed development.

Planning Balance

38. At paragraph 153, the Framework makes clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposed development, is clearly outweighed by other considerations.
39. The proposed development would reduce the openness of the Green Belt spatially and visually, and would be inappropriate development in the Green Belt, which is

harmful by definition. It would conflict with one of the purposes of including land within the Green Belt. I therefore attach substantial weight to that harm, albeit that harm would not be permanent.

40. Against that harm, I have placed substantial weight on the significant benefit of the proposed development with respect to its contribution to the mitigation of climate change and the regulation of electricity flows within the wider supply network. I also give modest weight to the absence of other local more preferential sites and limited weight to the biodiversity net gain that would arise from the proposed development, and limited weight to its economic benefits.
41. Overall, I find that, cumulatively the other considerations in this case clearly outweigh the harm identified. Consequently, looking at the case as a whole, very special circumstances exist which justify the development.

Conditions

42. The Council have suggested conditions in the event that I am minded to allow the appeal, which I have reviewed and amended in line with guidance and best practice, and to ensure clarity, consistency and to avoid duplication. I have also amended the order of the conditions so that it is in accordance with the structure set out in the PPG⁴.
43. I have, in the interests of certainty, imposed a condition that specifies that the development is carried out in accordance with the approved plans.
44. I have imposed a condition limiting the period of the proposed development to 40 years as that was the basis of my assessment. In doing so I have omitted the additional 6-month period as suggested by the Council. I have also amended the suggested wording to reflect that the development would not produce electricity.
45. It is appropriate and necessary to impose a condition to secure the decommissioning of the development and the restoration of the site at the end of the 40-year timeframe. In addition, in the event that the development ceases to export electricity for more than 2 years, I have imposed a condition to require approval of any works necessary to bring the development back into use or to secure the earlier decommissioning and restoration of the site. Such conditions are required to protect the Green Belt from permanent incursion, and in the interests of the character and appearance of the area.
46. To minimise the risks of surface water flooding I have imposed a condition to secure a sustainable surface water drainage scheme. This is a pre-commencement condition because the satisfactory delivery of an appropriate drainage scheme could be prejudiced if resolved later. A condition is also necessary to secure a verification report to ensure that the agreed scheme is implemented and the site is suitably and correctly drained. The wording of this condition is amended so that it refers to 'prior to the development being brought into use' rather than 'first occupation'.
47. To minimise risks to neighbouring occupiers and the environment, a condition is required to ensure that contamination is appropriately addressed, and that verification is provided. To ensure that appropriate investigation is carried out at a very early stage of the development, this is a pre-commencement condition.

⁴ Use of planning conditions - Paragraph: 024 Reference ID: 21a-024-20140306

48. In accordance with the requirements of the development plan, I have imposed a condition to secure the approval and implementation of a Waste Management Plan. It is necessary for this to be a pre-commencement condition because waste will be generated as soon as development commences on the site.
49. In the interests of protecting the living conditions of nearby residents, I include conditions which require an Air Quality Assessment and a Dust Management Plan, so that the construction process is suitably controlled. These are pre-commencement conditions to ensure that appropriate controls are in place before development commences. In addition, for the same reason and in the interests of maintaining air quality and the climate, a condition is imposed requiring that a ventilation system is approved. I do not, however, consider it necessary that this is a pre-commencement condition and have amended the wording accordingly.
50. Whilst mineral extraction has taken place across the majority of the site, the evidence before me indicates that there remains potential for archaeological remains to survive within parts of the site where no quarrying was carried out. I am, therefore, satisfied that a condition is required to secure archaeological investigations. This is a pre-commencement condition as, by their nature, such investigations would largely take place before construction works commence.
51. I have included, in the interests of highway safety, a condition relating to the provision of car parking and manoeuvring space within the site. For the same reason and in the interests of the safety and integrity of the M3 Motorway, I have imposed conditions which secure the approval, and implementation where appropriate, of geotechnical information, construction of the pipeline crossing and drilling under the motorway. However, no clear justification has been presented that demonstrates that such approval must be obtained before the proposed development is begun. Furthermore, it is the responsibility of the Council to consult National Highways and, therefore, it is not necessary for this to be specified in these conditions. I have amended the wording of the conditions relating to the M3 Motorway accordingly.
52. Although I do not consider that it should be a pre-commencement condition, as discussed previously, it is necessary to ensure that measures for the containment and suppression of fire are approved and are in place to ensure the safe operation of the site.
53. Enhancement measures, protection of biodiversity and the protection of the living conditions of nearby residents will be achieved through conditions to secure landscaping works, the method of working set out in the Ecological Appraisal Report, a noise mitigation scheme, and control over external lighting. In the interests of the character and appearance of the area and to protect the living conditions of nearby residents it is necessary that details of the appearance of the boundary treatment to the site is approved, implemented and maintained thereafter.
54. The Council has also set out informative advice within the list of recommended conditions. These relate to the provision of access to the development by the Fire Brigade; the pre-commencement biodiversity gain condition as set out in Schedule 7A of the TCPA; the measures that are expected to be taken during building operations to control noise, pollution and parking; that sufficient consideration is given to the 'agent of change principle' set out in the Framework; that necessary

Agreements under the Highways Act 1980 are in place; that health and safety guidance for grid-scale electrical energy storage systems is complied with; and that all issues relating to the potential pollution from batteries are addressed prior to the proposed development taking place.

55. Such advice would have no legal effect, and I have not, therefore, included them in the decision. Nonetheless, the appellant has had sight of the Council's conditions list and should be aware of the contents of such advice.

Conclusion

56. For the reasons given above, the proposed development would conflict with the development plan with respect to harm to the Green Belt. However, other material considerations, including the Framework and the very special circumstances cited in this case, outweigh that conflict and indicate that permission should be granted. I therefore conclude that the appeal should be allowed.

Elaine Moulton

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: EDG113-GA-DE-02 Revision 3; EDG113-GA-DE-03 Revision 1; EDG113-GA-DE-04 Revision 1; EDG113-GA-DE-05 Revision 1; EDG113-GA-DE-06 Revision 1; EDG113-GA-DE-07 Revision 1; EDG113-GA-SD-01 Revision 2; EDG113-GA-SL-01 Revision 8; EDG113-GC-DD-02 Revision 1; EDG113-GC-DD-03 Revision 1; EDG001-PL-01 Revision 03; and EDG001-PL-02 Revision 03.
- 3) The development hereby permitted shall be limited to a period of 40 years from the date of the first export of electricity to the Grid (hereinafter referred to as 'the First Export Date'), excluding electricity exported during initial testing and commissioning. Written confirmation of the First Export Date shall be provided to the local planning authority no later than one calendar month of the First Export Date.
- 4) The development hereby permitted shall be carried out in accordance with the method of working outlined in section 6.2.10 to 6.2.13 of the updated Ecological Appraisal Report (October 2024).
- 5) The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme should follow the principles set out in the Flood Risk Assessment dated May 2025 and must satisfy the Sustainable Drainage Systems (SuDS) Hierarchy and be compliant with the 'Non-statutory technical Standards for SuDS, the National Planning Policy Framework and the Ministerial Statement on SuDS. The drainage system shall include:
 - (a) Where infiltration is proposed, confirmation of a 1 metre unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times;
 - (b) Hydraulic calculations to demonstrate the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) and 1 in 100 (+40% allowance for climate change) storm events;
 - (c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan;
 - (d) An exceedance flow routing plan demonstrating no increase in surface water flooding on or off site, which must include proposed levels and flow directions;
 - (e) Details of drainage management responsibilities and maintenance regimes for all drainage elements; and
 - (f) Details of how surface water will be managed during construction including measures to protect the site and downstream systems prior to the final drainage system being operational.

The surface water drainage scheme shall be carried out in accordance with the approved details.

- 6) The development hereby permitted shall not commence until:
- (a) A site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination of the site and its implications. The site investigation shall not commence until its extent and methodology has been submitted to and approved in writing by the local planning authority; and
 - (b) A written Method Statement for the remediation of land and/or groundwater contamination affecting the site has been submitted to and approved in writing by the local planning authority prior to the commencement of remediation works. The Method Statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved timetable and method statement prior to the commencement of development, with no deviation without the express written agreement of the local planning authority.

- 7) The development hereby permitted shall not commence until a programme of archaeological work has been conducted in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority.
- 8) The development hereby permitted shall not commence until a Waste Management Plan (the Plan) has been submitted to and approved in writing by the local planning authority. The Plan shall provide details of any site preparatory works and construction activities demonstrating that:
- (a) Any waste generated by construction and excavation activities is limited to the minimum quantity necessary;
 - (b) Opportunities for the re-use and recycling of construction, demolition and excavation waste on the application site are maximised; and
 - (c) Sufficient on-site facilities to manage waste (storage, reuse and recycling) arising during the operation of the development of an appropriate type and scale will be provided and maintained for the duration of the development.

The development hereby permitted shall be carried out in accordance with the Plan as approved.

- 9) The development hereby permitted shall not commence until an Air Quality and Dust Risk Assessment has been prepared in accordance with best practice guidance and has been submitted to and approved in writing by the local planning authority.
- 10) The development hereby permitted shall not commence until a Dust Management Plan (DMP), based on an Air Quality and Dust Risk Assessment, and a detailed method statement has been submitted to and approved in writing by the local planning authority. The DMP and method statement shall include the following:
- a) As relevant to the development, a drawing showing details of site entrance/s and exit/s; details of site hoarding; details of wheel washing methods (a dedicated system with rumble grids and the waster suppressors); hardstanding locations; water point; and all the receptors and environmental monitoring points as relevant to the development;

- b) Details of consultation and complaint management with local businesses and neighbours as well as a detailed communication plan; and
- c) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light, and odour and an Outline Air Quality Safety Management Plan.

All works shall be carried out in accordance with the approved DMP and method statement.

- 11) Prior to the commencement of any excavation works, including landscaping, geotechnical information in accordance with the Design Manual for Roads and Bridges (DMRB) standard CD622 shall be submitted to and approved in writing by the local planning authority. All excavation works shall be carried out in accordance with the approved details.
- 12) Prior to the commencement of the pipeline/cable crossing of the M3 Motorway, details of the depths of the crossing in relation to the existing ditch and ground profiles shall be submitted to and approved in writing by the local planning authority. The pipeline/cable crossing shall be carried out in accordance with the approved details.
- 13) Prior to the commencement of directional drilling under the M3 Motorway, the following shall be submitted to and approved in writing by the local planning authority:
 - a) details and plans of how the process shall be implemented and monitored; and
 - b) details of ground movement monitoring, CCTV defect surveys and investigation of the pipeline/cable crossing

All such drilling shall be carried out in accordance with the approved details.

- 14) Prior to the installation of the battery storage units, a scheme setting out measures for the containment and suppression of fire shall be submitted to and approved in writing by the local planning authority. The measures shall be implemented prior to the development hereby permitted being brought into use and those measures shall be maintained thereafter.
- 15) Prior to the installation of the battery storage units, details of a scheme of both soft and hard landscaping works shall be submitted to and approved in writing by the local planning authority. The approved scheme of tree and shrub planting shall be carried out prior to the development hereby permitted first being brought into use. The planting so provided shall be maintained as approved for a minimum period of 5 years, which shall include the replacement in the current or next planting season, whichever is the sooner, of any trees or shrubs that may die, are removed or become seriously damaged or diseased, with others of similar size and species, unless the local planning authority gives written permission to any variation.
- 16) Prior to the installation of the battery storage units, details of a ventilation system to be adopted for the development shall be submitted to and approved in writing by the local planning authority. The submission shall include the location of the air intakes and the complete specification and maintenance regime for the equipment, which must be established and in place before the battery storage units are

installed. The ventilation system shall be retained and maintained for the lifetime of the development.

- 17) Notwithstanding condition 2, the development hereby permitted shall not be brought into use until details of a scheme of enclosure has been submitted to and approved in writing by the local planning authority, indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be carried out before the development is brought into use in accordance with the approved details and retained and maintained thereafter.
- 18) The development hereby permitted shall not be brought into use until a verification report has been submitted to and approved in writing by the local planning authority. This must demonstrate that the surface water drainage system has been constructed in accordance with the scheme approved pursuant to condition 4 of this permission (or detail any minor variations) and shall confirm any defects have been rectified, provide the details of any management company, provide an 'as-built' drainage layout, and identify the national grid reference of any key drainage elements.
- 19) The development hereby permitted shall not be brought into use until a noise mitigation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall detail what measures shall be taken, and when, to ensure that the rated level of sound from the plant (operating at capacity) shall be at least 10 dB(A) below the background noise level at the nearest sound sensitive premises, as identified at Table 3.3 of the Noise Assessment 784-B040612 dated August 2024. The scheme shall also set out a mechanism/s to be implemented when the approved measures are no longer effective. All measurements shall be made in accordance with the methodology of BS 4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendment.
- 20) The development hereby permitted shall not be brought into use until the internal access and on-site parking has been laid out in accordance with the approved plans, so that vehicles can be parked, and can be driven into and out of the site in a forward gear. Thereafter, the parking and internal access shall be retained for their designated purposes.
- 21) Prior to the installation of any external lighting, and notwithstanding condition 2, details, which shall include the type, size, location, intensity, direction and timing of illumination, shall be submitted to and approved in writing by the local planning authority. The external lighting shall be maintained and operated in strict accordance with the approved details thereafter.
- 22) In the event of the development hereby permitted ceasing to export electricity to the Grid for a continuous period of two years and there being no realistic prospect of the development becoming operational again without repairs, a scheme for the remedy, repair or removal of the development shall be submitted in writing to the local planning authority within 3 months of the end of that two year period for its written approval. Where repairs or replacements are required, the scheme shall include a proposed programme of remedial works. Where removal of the development is required, the scheme shall include the same details for the

decommissioning and restoration of the site as required under condition 23 of this permission. The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

- 23) Within a period of not later than 12 months before the expiry of this permission, a decommissioning and site restoration scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall make provision for the removal of the development and the subsequent restoration of the site and shall include details of the following:
- (a) the extent of equipment and foundation removal and site restoration to be carried out;
 - (b) the management and timing of any works;
 - (c) a traffic management plan to address likely traffic impact issues during the decommissioning period;
 - (d) an environmental management plan to include details of the measures to be taken during the decommissioning period to protect wildlife, habitats and tree features on the site;
 - (e) location of material laydown areas;
 - (f) full details of the removal of the equipment, associated buildings and plant, any trackways and subsurface cabling and all associated works of ground restoration including trench backfilling;
 - (g) full details of all other works to restore the land to allow agricultural production following the decommissioning of the site;
 - (h) a programme of implementation.

The approved scheme shall be implemented in full accordance with the agreed details.