

P23-0767

The Planning Division
Blaby District Council
Council Offices
Desford Road
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LE19 2EP

09 November 2023

By E-Mail Only
planning@blaby.gov.uk

Dear Sir/Madam

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2015): Regulation 6 (1) Request for a Screening Opinion in Relation to a Proposed Energy Storage System on Land North- West of Enderby, Thurlaston Lane, Enderby, LE9 3LE

On behalf of Innova Renewables Ltd ("the Applicant"), Pegasus Group duly requests Blaby District Council's Environmental Impact Assessment (EIA) Screening Opinion for the provision of an Energy Storage System ('ESS') occupying approximately 10ha on Land North- West of Enderby, Thurlaston Lane, Enderby, LE9 3LE.

1. Background

This Screening Opinion request is made under Regulation 6 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The information contained within this letter is in accordance with Regulation 6 (2) which states that a request for a screening opinion shall be accompanied by:

- a. *a plan sufficient to identify the land;*
- b. *a description of the development, including in particular—*
 - i. *a description of the physical characteristics of the development and, where relevant, of demolition works;*
 - ii. *a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;*
- c. a description of the aspects of the environment likely to be significantly affected by the development;

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- d. *to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from –*
- i. *the expected residues and emissions and the production of waste, where relevant; and*
 - ii. *the use of natural resources, in particular soil, land, water and biodiversity; and*
- e. *such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.*

The remainder of this letter is split into the following sections:

- Section 2: The Development Site
- Section 3: The Development Proposal
- Section 4: EIA Assessment
- Section 5: Conclusions

This Screening Opinion request is also supported by a Site Location Plan.

2. The Development Site

The site extends to approximately 10 hectares located on land North- West of Enderby, Thurlaston Lane, Enderby, LE9 3LE. The site comprises agricultural fields with a small wooded area and pond within the north- west portion of the site. The site boundaries are lined with tree/hedgerows and is bounded to the east and south by agricultural fields for arable and pastoral use. To the north and west boundaries, the site is adjoined by Thurlaston Lane which runs, beyond which are agricultural fields. Hedges along Thurlaston Lane restrict or filter views into the site, although views into the site are currently possible from some sections along the road.

Within the red line boundary of the indicative layout plan, sits the proposed cable route which runs from the site, 800 metres the north- west to the Enderby Substation.

The site is located approximately 260m west of the settlement boundary of Enderby, is situated approximately 1.43km from the settlement boundary of Thurlaston and is located approximately 300m north east of the M69, which forms a prominent (visual and audible) feature in the surrounding area.

The site is not located within a designated landscape and is not located on Green Belt land. The entire landform of the site and the surrounding landscape is relatively flat.

Other development in the surround area includes agricultural buildings, commercial premises, an Anaerobic Digestion Plant and Next's head office. There is a battery storage scheme under construction 500m to the north on Desford Road.

Flood Risk & Hydrology

The site is situated within Flood Zone 1, the area least at risk of flooding which is assessed as low risk. Small sections of the eastern and southern boundary of the site have a low risk of surface water flooding. The above is illustrated in Figures 1 and 2.

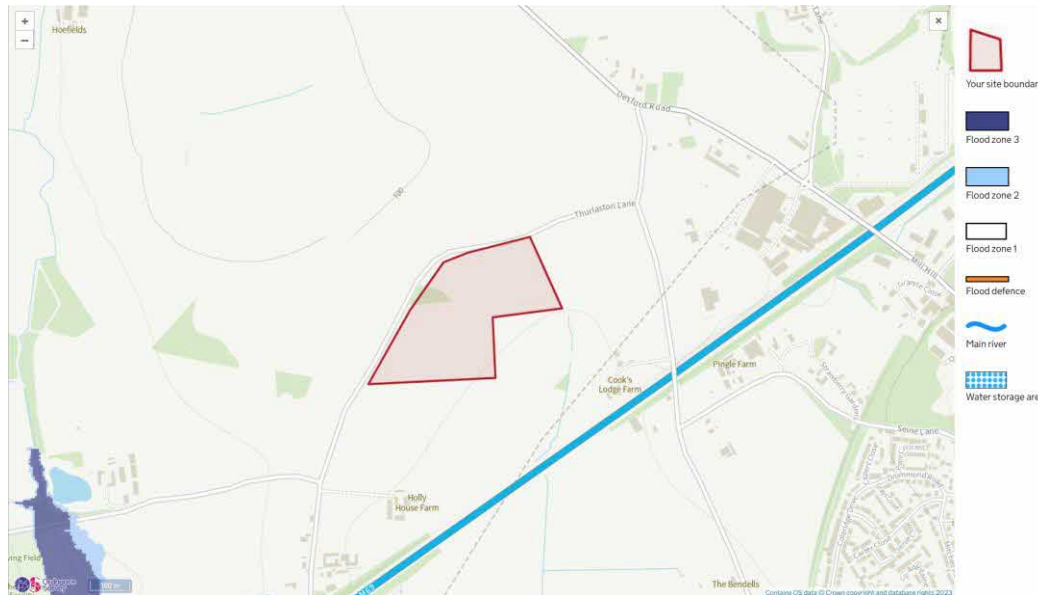


Figure 1: Government Flood Risk Map

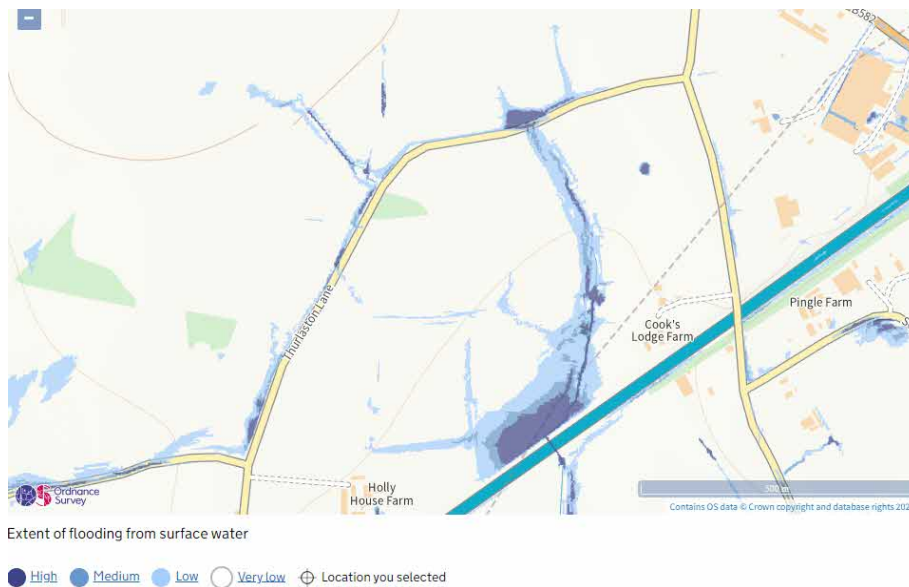


Figure 2: Government Surface Water Flood Risk Map

Environmental Designations and Ecological Sensitivities

There are no statutory environmental designations within the site's boundaries. There are three SSSI sites within the wider context, with these being Enderby Warren (approximately 1.8km east), Narborough Bog (approximately 3km southeast) and Croft and Huncote Quarry (2.6km south) which are all illustrated in the figure below.

The development is not expected to have any negative impact upon these designated sites.

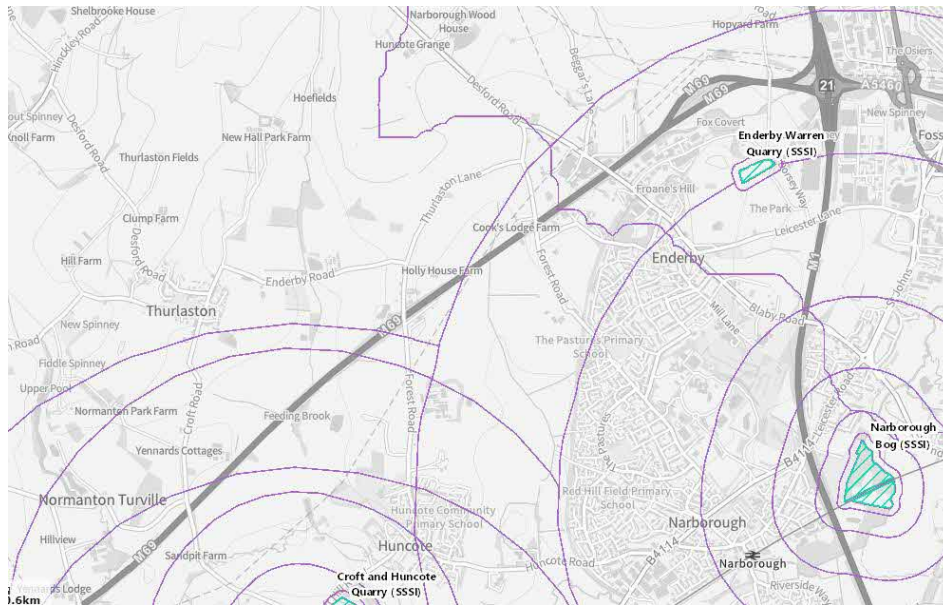


Figure 3: Ecology

Heritage Assets

In terms of heritage assets, there are no nationally designated heritage assets identified within, nor immediately adjacent to, the site boundary. The nearest heritage assets relate to the Enderby Conservation Area (approximately 1km east), the grade II listed Huncote Grange (approximately 1km north), the grade II* listed Church of All Saints (approximately 1.5km west) and two scheduled monuments (approximately 1.3km northwest) which are illustrated in the figure below.

No impact is expected to result on these assets, although as part of the preparation of a future planning application, a heritage consultant will review and confirm this.



Figure 4: Designated Heritage Assets

Agriculture

The below figure taken from Natural England Provisional Agricultural Land Classification Maps provisionally shows the site as undifferentiated Grade 3 land. As per Annex 2 of the NPPF (2019), this means that the site could be deemed 'best and most versatile but a detailed survey will be undertaken at the application stage to determine this.

National policy requires development on agricultural land to steer towards areas of poorer quality agricultural land, where this is available, except where this would be inconsistent with other policy and sustainability considerations. Within this locality the ALC is predominantly Grade 3 and therefore suitable lower grade land is not available. Furthermore as a temporary development the site can be fully restored and returned to agricultural use at the end of the projects lifespan.



Figure 5: ALC Map

Sensitive Human Receptors

The site is relatively isolated and there are limited residential properties close by. The nearest residential dwellings to the site are situated approximately 260m southeast near to the bridge over the M69.

Landscape and Visual

There are no landscape features either within or immediately adjacent to the land which have any particular sensitivity that would inhibit the development of a well- designed ESS facility. The site is not situated within or near a designated Area of Outstanding Natural Beauty (AONB). In addition, the site is not within a Countryside Protection Zone or any other locally protected landscape designation. In terms of policy hierarchy then, the site is therefore the lowest value landscape land.

The site lies within National Character Area (NCA) 94: Leicestershire Vales which is a large, relatively open, uniform landscape composed of low- lying clay vales interrupted by a range of varied river valleys.

Public Rights of Way

There are several Public Right of Ways that are situated within the vicinity of the site as illustrated within the figure below, but none that cross the site.



Figure 6: OS Map

3. The Development Proposal

The Development would comprise a utility scale grid management facility using ESS technology and would be temporary for up to 40 years. The site will be subject to numerous technical surveys and environmental reports which will be used to refine the design if necessary.

At this stage the layout and design of the proposed development remains indicative. Notwithstanding this, the proposed development would occupy approximately 10 hectares of land and would comprise the construction and operation of the following key components:

BESS;

Substation;

Control rooms and control buildings;

Transformers and auxiliary transformers;

Feeder buildings;

Access from the adopted highway;

Internal access roads;

An ecological enhancement area, including landscape and ecological planning and sustainable drainage; and



Security fencing CCTV

The indicative layout for the proposed development site is provided in drawing number ENG4. The energy storage units would be laid out in rows with access areas. The units would be laid on concrete slabs with the intervening areas laid to tarmac/ concrete for manoeuvring. Gravel would be used elsewhere. The height of the facility is likely to be up to approximately 3.5m for energy storage units and 14m for the highest substation elements, including buildings.

The layout and design have evolved following the landscape feasibility appraisal conducted by Pegasus, with energy storage units concentrated towards the east of the site and extensive woodland planting.

The colour palette will be predominantly grey and dark green to be in keeping with the surrounding landscape.

It is proposed that access to the proposed development site would be from Thurlaston Lane with two access available with one serving as an emergency access point only.

Construction

The construction phase is anticipated to take approximately 18 months. Should planning permission be granted the Applicant would commence work straight away to address any pre-commencement conditions and finalise the project.

The National Grid operates a 'Balancing Service' required to balance demand and supply and ensure the security and quality of the electricity supply across its transmission system. System frequency is a continuously changing variable that is determined and controlled by the second-by-second (real time) balance between system demand and total generation. If demand is greater than generation, the frequency falls while if generation is greater than demand, the frequency rises.

The National Grid has a license obligation to control frequency within the limits specified in the 'Electricity Supply Regulations', i.e. $\pm 1\%$ of nominal system frequency (50.00Hz) save in abnormal or exceptional circumstances. National Grid must therefore ensure that sufficient generation and / or demand is held in automatic readiness to manage all credible circumstances that might result in frequency variations.

The ESS compound would comprise containers positioned in rows. Being able to absorb and release energy, it can be used to contribute towards the frequency balancing services, where the power is being generated or absorbed statically or dynamically depending on the system frequency. When there is not enough power, ESS are discharged to balance under frequency preventing black outs. To balance frequency ESS are charged to prevent dangerous spikes across electricity infrastructure.

The proposed grid connection has been identified at an existing Enderby Substation which is situated approximately 800m northwest of the site. The substation will connect to the



development via an underground cable. The cable will run from the north-east of the site, along Thurlastone Lane, before heading north along Forest Road, the cable route will then head east long the B582, the cable will then run north along Beggars Lane before connecting to Enderby Substation. The proposed cable route is shown in the indicative Layout Plan provided.

4. EIA Assessment

For the purpose of this Screening Request, we have considered the EIA Regulations.

The EIA Regulations, in conjunction with Planning Practice Guidance [‘PPG’] on Environmental Impact Assessment (originally published March 2014 and last updated on 28 July 2017), set out the legal framework in relation to Environmental Impact Assessment. The EIA Regulations contain two development schedules (Schedule 1 development and Schedule 2 development). Schedule 1 contains a list of development where EIA is mandatory.

The screening proposal does not fall within Schedule 1 Development.

Schedule 2 contains a list of development, coupled with development thresholds, where EIA may be considered. The Local Planning Authority must screen every planning application falling under the Schedule 2 development thresholds to determine whether or not EIA is required. When a local planning authority has to decide whether a Schedule 2 development is EIA development, Schedule 4 sets out how the LPA must take into account the information provided by the Applicant; the results of any EU environmental assessments which are reasonably available; and, the selection criteria set out in Schedule 3 as are relevant to the development.

Schedule 2 contains a list of development descriptions (categories) and applicable thresholds and criteria for the purpose of classifying development as Schedule 2 development. The development description pertinent to this development proposal is ‘Energy Industry’.

Type	Development Description	Applicable threshold and criteria
3. Energy Industry	(a) Industrial installations for the production of electricity steam and hot water (unless included in Schedule 1).	The area of the development exceeds 0.5 hectares.

Given the final site area exceeds the applicable thresholds, it is appropriate to screen the proposal with the Local Planning Authority to clarify if there are potential significant effects likely to arise from the proposal which constitute EIA Development. The associated Planning Practice Guidance identifies that **‘only a very small proportion of Schedule 2 development will require an assessment’**. In addition, the planning practice guidance provides ‘key issues to consider’ when screening proposed energy developments. Whilst there is no specific guidance for storage installations, the key issues to consider for industrial energy installations are list as (i) level of



emissions to air; (ii) arrangements for the transport of fuel and any visual impact. Furthermore, The Government, through its publication 'Proposals regarding the planning system for electrical storage' also acknowledge that storage has relatively low planning impacts when compared to other forms of generation and 'it therefore tends not to have significant local impacts that would make it difficult for local authorities to balance against national benefits'.

Regulation 6(4) of the Act sets out how a screening request, where relevant, must take into account the criteria set out in Schedule 3 which consider the characteristics of development, the location of the development and the types and characteristics of the potential impacts. The relevant issues are considered below.

Physical Scale and Appearance of Development

The design and siting of the scheme will be carefully considered to minimise potential environmental impacts. While the containerised units and other supporting infrastructure do have an industrial appearance, can be painted a sympathetic colour and the whole site can be contained within the existing landscape.

A detailed Landscape and Visual Impact Assessment will be prepared which will analyse the landscape susceptibility to the type of the development proposed, i.e., infrastructure. It will comment on the landscape value and arrive at the overall landscape sensitivity of the host landscape.

Traffic and Transport

Both the operational and construction access to the site is proposed via Thurlaston Lane. During construction / installation of the storage facility, there would be trips associated with the delivery of materials to site and arrivals and departures of construction staff. Construction material deliveries will mainly consist of HGVs while staff trips will mainly consist of vans. There will be a need for two abnormal loads.

During construction / installation of the energy storage facility, the proposals would generate an insignificant number of traffic movements along the local highway. If the development is built out through a continuous single phase, it is anticipated the construction period will last approximately 24 months.

During the operational phase, the activities on site would amount to the maintenance and servicing of plant and equipment, and any vegetation management. It is anticipated that under normal circumstances, no more than 1 no. vehicles would need to access the site per week, and most visits to the site would be undertaken by an operative in a van/4x4, except in rare instances where repairs or replacements are required.

Any future planning application will be accompanied by a Construction Traffic Management Plan, developed in correspondence with the Councils Highways Team, to ensure that construction traffic has a negligible impact on the local highway.



Use of Natural Resources

The nature of the Development is to provide much needed zero carbon, flexible back-up generation capacity that will facilitate a greater reliance on renewable energy in the generation mix which would ultimately lead to a reduction in the use of non-renewable resources for the same purpose. Furthermore, there would be extremely limited use of the other natural resources in construction and during operation with the site being restored when the development is decommissioned after 50 years.

Natural resources would therefore not be affected in terms of their relative abundance, quality and regenerative capacity and there is no potential for significant effects on non-renewable natural resources.

Production of Waste

The production of waste during construction would be extremely limited, as the large majority of components would be brought to site ready-made/pre-assembled. During operation, the Development will generate very little waste. Following the expiry of the consent, the storage units and associated infrastructure would be dismantled and removed from the site, leaving no residual effects. In addition, the storage components themselves can be reused/recycled at the end of their operational life. In the long term, dedicated recycling plants can be expected to increase treatment capacities and the ability to recover a greater fraction of embodied materials. Decommissioning would be in accordance with technical guidance and best practice, with the methodology to be agreed with the Council at that time. There is no potential for significant effects on waste generation and management.

Pollution and Nuisances: Air Quality and Water

The Development, when operating, would have no emissions to air or water, cause no deposition to land, emit limited noise and potentially only have intruder-activated security lighting. Construction of the Development is a simple process involving only small quantities of cement and the ordinary use of vehicle fuels/oils, with none stored on site. The potential for pollution is therefore very low.

During construction and decommissioning, there would be emissions to air from vehicles and plant, but these will not be sufficient to lead to air quality effects, such as the breach of National Air Quality Objectives, at the nearest receptors. (Note: the site is not within or in relevant proximity to an Air Quality Management Area - AQMA.)

In the wider context, the Development will facilitate the uptake of greater energy generation from renewable resources, therefore reducing the need for electricity from other sources, including fossil fuels and nuclear electricity generation, and thus will reduce the potential for pollution relative to the baseline.



Consequently, there are no air quality or hydrology receptors considered to be sensitive to the type of development proposed and there is no potential for significant effects on air quality or water quality.

Risk of Accidents and to Human Health

Very few potentially polluting substances will be handled or stored on site, and hence the potential for accidents caused by, or involving, the release of substances is very low.

Further detail is included here on safety and it is considered that, following the measures set out, the potential is limited. The supplier of the energy storage technology will hold the relevant test certificates and meet the relevant electrical safety regulations. The energy storage system would be constructed with the appropriate materials and designed to minimise the risk of fire and thermal runaway. Every module would be fitted with state-of-the-art fire suppression and containment systems. Furthermore, the modules would be installed with air conditioning in order to maintain a constant and safe operating temperature, and the entire system will be subject to inspection, testing and maintenance for safe operation.

The Applicant as already sought to engage with Leicestershire Fire and Rescue and will continue this dialogue to ensure that sufficient information is provided and incorporated into the design and layout.

Renewable Energy and Carbon Displacement

The Development would comprise a form of carbon zero energy storage to provide balancing energy to the National Grid. Its grid balancing mechanism specifically forms part of the renewable energy infrastructure being developed to meet the UK's obligations under the Renewable Energy Directive.

Importantly, energy storage schemes also allow more renewable energy production to be integrated into the system. The intermittent and variable supply that is inherent in renewable energy generation creates peaks and troughs in electricity production. Energy storage facilities such as the one proposed reduce the peaks and troughs in electricity supply, being able to respond at short notice to requests from National Grid to generate electricity, when renewable sources are not generating and also absorb surplus renewable energy when it is generated but there is no demand on the grid.

The proposal would therefore provide greater capacity and flexibility in the energy generation network and the proposed facility would support the move towards a low carbon energy network supplied increasingly by renewable energy developments. The Development is required for the growth of renewable energy and will make an important contribution to ensure that Blaby District Council can meet their own planning objectives by minimising greenhouse gas emissions and supporting the use of renewable energy.

Identifying the Potential for Significant Effects



The changes to the site and its surrounding environment which may take place during the construction, operation and decommissioning of the Development have been identified and considered for potential direct or indirect changes to environmental features within or outside of the site. Changes to the environment are known as 'impacts', and anything which benefits or creates detriment to an environmental feature is known as an 'effect' – reference is made to either 'beneficial' or 'adverse' effects. Any impacts are appraised using professional judgement by experienced EIA practitioners to determine the potential for significant effects on receptors. The following potential effects are considered:

Direct and indirect effects;

Primary and secondary effects;

Short, medium and long-term effects; and

Permanent and temporary effects.

Establishing the baseline, including predicted future conditions without the Development, is the key basis for predicting the potential for impacts and effects at this screening stage, combined with the depth and breadth of experience of the author in conducting EIA and environmental assessment of a range of development types, and reviews of other similar developments. The author has consulted inhouse specialists where appropriate, including ecologists, landscape architects and archaeologists / heritage specialists.

With regards to battery safety, there are many mitigation measures in place both in the form of legislation and the ESS design itself to mitigate against chemical leakage from the ESS. Safe transportation ensures no damage to the batteries prior to use and in terms of legislation, all batteries must be transported in accordance with UN 38.3 to which the UK is a signatory.

The ESS will be constructed in accordance with the International Electrotechnical Commissions standards for Electrical Energy Storage Systems. During the construction phase, compliance environmental working practices and legislative requirements would also be delivered through: -

- i. Construction (Design and Management) Regulations 2015. The Construction (Design and Management) Regulations 2015 (CDM Regulations) place legal duties on almost all parties involved in construction work. The regulations place specific duties on clients, designers and contractors, so that health and safety is taken into account throughout the life of a construction project from its inception to its subsequent final demolition and removal. Under the CDM Regulations, designers have to avoid foreseeable risks so far as is reasonably practicable by: eliminating hazards from the construction, cleaning, maintenance, and proposed use and demolition of a structure, reducing risks from any remaining hazard, and giving collective safety measures priority over individual measures.
- ii. Management of Health and Safety at Work Regulations 1999 - The Management of Health and Safety at Work Regulations 1999 reinforce employer's duties to manage health and safety and apply to all work activities. The principal of risk based assessment provides



the cornerstone for management of health and safety and all employers are required to undertake risk assessments.

- iii. Health and Safety at Work etc. Act 1974 - The Health and Safety at Work etc. Act 1974 provides the framework for the regulation of workplace health and safety in the UK. It places general duties on employers, people in control of premises, manufacturers and employees. The overriding principle is that foreseeable risks to persons will be reduced so far as is reasonably practicable.

Mitigation

Where possible, mitigation measures have been “embedded into” the overall design strategy rather than “added on” to the proposals. An example of this is implementing a woodland buffer to reduce the magnitude of visual effects and ensuring no development takes place within the Lizard Exclusion Zone.

5. Conclusions

The nature of the proposed development is for a ESS on land currently being used for agriculture. It is therefore not expected to result in any unusual, complex or potentially hazardous environmental effects. Given the low impact of the proposal, it is considered that whilst there will be some effects upon the environment, none of these are considered to constitute ‘significant effects’ upon the environment, as set out in the relevant guidance. Accordingly, it is considered that the screening proposal is Non- EIA Development.

For the reasons identified and discussed in this letter and summarised below, we consider an Environmental Impact Assessment is not required for the proposed development since:

The site is situated within Flood Zone 1, the area least at risk of flooding which is assessed as low risk. Nevertheless, the planning application will be supported by a Flood Risk Assessment and Drainage Strategy;

There are no statutory environmental designations within the site’s boundaries and there are a limited number of ecological designations within proximity of the site. Any planning application will be supported by extended ecological surveys as required. These surveys will provide an evidence base for a Landscape and Ecological Management Plan (LEMP), which will accompany any future submission without the need for an Environment Statement;

There are no nationally designated heritage assets identified within, nor immediately adjacent to, the site boundary;

The site comprises undifferentiated grade 3 Best and Most Versatile agricultural land and as such, a soil survey will be commissioned as part of the Agricultural Land Classification Survey;



Any formal planning application submission would be supported by detailed LVIA and an ecological assessment. Other studies with regards to traffic, drainage, heritage would also be submitted and as such any adverse impacts in this regard would be identified and fully mitigated without the need for an EIA;

The location, mass, scale and form of the proposed battery storage facility is considered appropriate to the character and appearance of the landscape. Although the topography of the land is flat and there are few trees and hedges in the landscape, there are limited sensitive human receptors, and the M69 Motorway forms a key detracting feature within the local landscape and a woodland buffer has been incorporated into the design;

Given the low level of trip generation onto the highway, it is apparent that the proposals will not have a material impact and will certainly not give rise to any potential significant effects with regards to highway movement or vehicular pollution (noise and emissions);

Natural Resources will not be affected in terms of their relative abundance, quality and regenerative capacity and there is no potential for significant effects on non-renewable natural resources;

The production of waste during construction and operation would be extremely limited;

The Development, when operating, would have no emissions to air or water, cause no deposition to land, emit limited noise and potentially only have intruder-activated security lighting;

Very few potentially polluting substances will be handled or stored on site, and hence the potential for accidents caused by, or involving, the release of substances is very low;

The Development would comprise a form of carbon zero energy storage to provide balancing energy to the National Grid;

The changes to the site and its surrounding environment which may take place during the construction, operation and decommissioning of the Development have been identified and considered for potential direct or indirect changes to environmental features within or outside of the site;

Where possible, mitigation measures have been “embedded into” the overall design strategy rather than “added on” to the proposals; and

There is also no express MW threshold for energy storage developments

To give reassurance to the Council, any formal planning application would be supported by the relevant technical assessments and these will include:

- i. Ecological Survey and Impact Assessment
- ii. Landscape and Visual Impact Assessment



- iii. Outlined Landscape Masterplan
- iv. Noise Assessment
- v. Flood Risk Assessment and Drainage Strategy
- vi. Construction Traffic Management Plan
- vii. Design and Access Statement
- viii. Planning Statement
- ix. Consultation Report
- x. Arboricultural Implications Assessment
- xi. Heritage Assessment
- xii. Outline Safety Management Plan

We look forward to receiving the Council's Screening Opinion within the timeframe specified by the EIA Regulations.

Should additional information be required from either the Council or statutory consultees please do not hesitate to contact me directly.

Yours faithfully

Chris Cox

Associate Planner

