 Havering LONDON BOROUGH	Strategic Planning Committee 10 July 2025
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Application Reference:	P1498.24
Location:	LAND ADJACENT TO ST MARY'S LANE, OCKENDEN UPMINSTER
Ward	UPMINSTER
Description:	THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A BATTERY ENERGY STORAGE SYSTEM (BESS) WITH ASSOCIATED INFRASTRUCTURE AND WORKS INCLUDING HIGHWAY ACCESS, LANDSCAPING AND BIODIVERSITY ENHANCEMENTS.
Case Officer:	RAPHAEL ADENEGAN
Reason for Report to Committee:	<ul style="list-style-type: none"> • Call-in application by ward councillors.

1. **BACKGROUND**

- 1.1 The application has been called-in by the local ward councillors, and as such is referred to the Strategic Planning Committee for decision in accordance with the Committee Consideration Criteria of the Constitution.

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.2 The application seeks full planning permission for the development of a Battery Energy Storage System (BESS) with a capacity of 200MW for a temporary period of 40 years. The site is located in the Green Belt and the proposed development would constitute inappropriate development in the Green Belt.
- 1.3 The development would have a significant impact upon the openness of the Green Belt. The harm identified by inappropriateness and significant harm to openness are given substantial weight in the planning balance.
- 1.4 The proposal would, due to mitigating factors, not have a significant adverse impact upon the character of the area in the long term. The proposed landscaping and planting would introduce a visual barrier which would help protect views into the site from the nearby public footpaths and viewpoints.

- 1.5 No other harm has been identified in terms of residential amenity, drainage, flooding, ecology, contaminated land, archaeology and subject to conditions the consultees raise no objection.
- 1.6 The applicant has put forward a comprehensive case of very special circumstance (VSC) for the proposed development. The harm by reason of inappropriateness and any other harm, are clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- 1.7 The proposal is therefore in accordance with the adopted development plan and guidance in the National Planning Policy Framework (the Framework). As such, officers consider the proposal to be acceptable.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission subject to:

Conditions

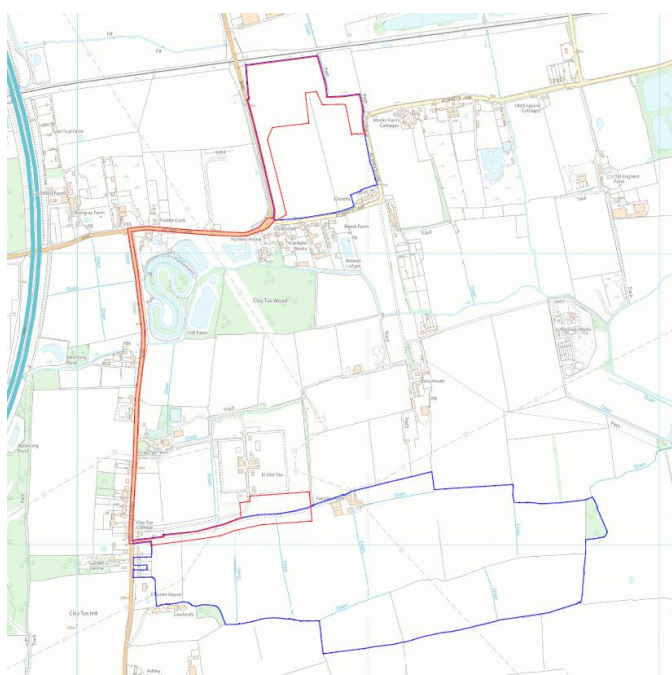
- 1) Time Limit
- 2) Temporary Permission - The use of proposed development shall cease on or before (insert decision date) 2068,
- 3) Scheme for the decommissioning and restoration
- 4) Submission of signed restoration plan lease agreement with landowner
- 5) In Accordance With Approved Drawings
- 6) Details of Material – colours to be agreed
- 7) Landscaping
- 8) Landscape Management Plan
- 9) Biodiversity and BNG
- 10) Boundary Treatments
- 11) No External Lighting Scheme
- 12) Noise Protection
- 13) Contaminated Land
- 14) Surface Water Drainage
- 15) Sustainable Drainage Systems (SUDs)
- 16) Demolition, Construction Management and Logistics Plan
- 17) Construction Hours (8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.)
- 18) Highway Works
- 19) Wheel Washing
- 20) Fire Brigade Access
- 21) Site Levels
- 22) Construction Ecological Management Plan
- 23) Archaeology

Informatives

- 1) NPPF positive and proactive.
- 2) Highways
- 3) Fire Rescue
- 4) Wildlife and Habitat Regulations

3 SITE AND SURROUNDINGS

- 3.1 The application site comprises part of a larger field whose boundaries are clearly defined by the B186 Warley Street to the west, by St Mary's Lane to the south and east and the Liverpool Street to Southend railway line to the north. The site extends to approximately 11.05 hectares and is located to the north of the overall 17.92 hectares field parcel which it forms part.
- 3.2 The southern part is divided by a ditch, classified as an 'ordinary watercourse' and known as Mary Brook, which extends north from St Mary's Lane for a distance of approximately 400m and serves to separate the field into two halves.
- 3.3 The southern part of the field also contains a network of underground high and medium pressure gas pipes which traverse the land in a generally east-west direction immediately to the south. In addition, much of the land not proposed to be developed is shown as within Flood Zone 2.
- 3.4 The Site is approximately 1.1km north of the Warley Substation from which it is separated by the Puddledock Farm fishing lakes and Clay Tye Wood, as well as a number of commercial premises. It is visible from the highway on its western boundary. To the north is the railway overbridge beyond which is the Upminster Trading Estate, a modern development of warehouses and trade counter though visibility is limited by vegetation.
- 3.5 The general character of the area is rural and agricultural, with fields delimited by hedgerows. According to the submitted Agricultural Land Classification Report, the land has been assessed as being of Grade 3b agricultural quality. As such, not the "best and most versatile" agricultural land.
- 3.6 The entire site lies within the designated Metropolitan Green Belt and the Thames Chase Community Forest area. The actual area to which this application relates is nevertheless not noted for any ecological or landscape designation.



Site Location Plan (Drawing CST011- WAR3.0 Rev. C)

4 PROPOSAL

- 4.1 The application seeks full planning permission for a Battery Energy Storage System (BESS) with a capacity of c.200MW. The batteries would be housed within containers and be supported by ancillary development, including transformers, inverters, substation and switchgear units. The site would also be surrounded by a security fencing, associated infrastructure including highway access new landscaping, hedgerows and biodiversity enhancements. The proposal would be for a temporary period of 40 years.
- 4.2 The Planning, Design & Access Statement provides the following overview of the proposed development:-
- 104no. strings of battery units measuring 2.1m wide x 3.2m long x 2.6m high arranged in rows of six units;
 - ACC/DCC panels positioned at the end of each row of six battery units;
 - 26 no. MV Twin Skid units measuring 2.2m wide x 6m long x 2.3m high;
 - 52 no. Inverter units measuring 2m wide x 3.1m long x 2.4m high;
 - 1 no. Spare equipment container measuring 2.4m wide x 12.2m long x 2.4m high;
 - 2 no. emergency water tanks measuring a height of 2.5m with a diameter of 10m;
 - 6no. Fire hydrants with a pumped distribution system measuring a maximum height of 0.6m;
 - 27 no. CCTV columns measuring 3m in height;
 - 1 no. Customer switchgear substation measuring 4.8m wide x 12.7m long x 3.4m;
 - 2 no. Transformers measuring a maximum height of 9.3m;
 - Palisade fencing and double gates surrounding the battery compound and substation measuring a maximum height of 2.4m.
 - The development has been designed to be recessive in the landscape, including materials with natural colour tones to blend in with the landscape.
 - Beyond the main portion of the application site, a short section of new access track will be constructed to link the proposed site to the existing access roads to the east and west. An underground cabling route to link with the national grid substation will also be required, and this will closely follow the route along St, Mary's Lane and B186 Clay Tye Road, which forms part of the application site.
 - Access would be obtained via an existing track from, the road running along the eastern and western boundary of the wider site.
- 4.3 The Planning, Design & Access Statement explains that the BESS would store electricity and would allow the local Grid network to operate more efficiently; taking excess energy, storing it and releasing it onto the network when the grid needs it at times of peak demand. It is stated that the development is part of necessary grid reinforcements as well as a longer-term plan to make the network more efficient. This in turn will ensure long term sustainable local and regional power distribution; supporting the grid in times of high energy consumption.



Indicative Site Layout Plan (drawing ref. CST011-WAR4.0 Rev. C)

5 PLANNING HISTORY - N/A

Environmental Impact Assessment

- 5.1. On the 05 July 2024 Clearstone Energy Ltd requested a Screening Opinion from London Borough of Havering, under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the installation a 200MW Battery Energy Storage System for Warley Energy Hub at Land Between Warley Street and St. Mary's Lane, North Ockendon. The area of land and the development was the same as currently proposed. The purpose of the request was to determine whether the proposed development, as described, would be likely to have significant effects on the environment and therefore require an environmental assessment.
- 5.2 The Council issued a Screening Opinion (ref Z0002.24) on the 15 August 2024 confirming that "based on the information provided, it is the opinion of the local planning authority that the proposed development would not result in effects the significance of which would require an environmental impact assessment. An environmental impact assessment is not required for this proposal".

Community and Stakeholder Engagement

- 5.3 A Statement of Community Involvement (SCI) accompanies the application and this document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant has initiated a number of public consultation exercises including, in-person meeting, mailing distribution and webinar (online) presentation was conducted, where questions and comments could be posted and recorded.

5.4 The applicant's response to the issues raised in the course of the public engagement raising the following questions and concerns:

- a) Concern of the visual impact of the project.
- b) Visual look of the acoustic fence
- c) Will there be any closure to St Mary's Lane?
- d) Will the project add traffic to the area?
- e) General opposition to the location of the proposal.
- f) Suggestions to use the land at the Warley Substation instead.
- g) There are more suitable and unused fields opposite Puddledock Fishery.
- h) Projects like this should be put on old and disused coal power stations.
- i) Would it not be more appropriate to store batteries under solar panels, where there will be no loss of energy in transport and a lower impact on agricultural land.
- j) Will Warley Energy Hub make much noise?
- k) Concern regarding the project affecting red listed wildlife, including skylark, yellowhammer and grey partridge.
- l) What trees are you looking to plant?
- m) Questions regarding the need for Battery Energy Storage Systems.
- n) There is a two stage energy conversion process required – the AC from the sub-station needs to be converted into DC to be stored in the batteries and the converse when the battery energy is fed back to the substation. What is the conversion efficiency of both these processes and do they create heat, noise or other waste?
- o) Who manufacture the batteries and where do they come from?
- p) What happens to the batteries at the end of the lifecycle?
- q) Have you considered Sodium batteries instead of Lithium?
- r) Concern at the loss of agricultural land.
- s) What is going to happen to the land in the site boundary that you are not proposing to build on?
- t) What is the arrangement of the land, are you buying the land or leasing it from the owner?
- u) Suggestion for community benefit fund: There is no real community, just scattered houses with a limited number of low-income households. There needs to be creativity in making sure the community benefits identify "the community" and ensure they do actually benefit.
- v) Who gets access to the community benefit funds? Is it just for the residents who fall within Havering?
- w) What is the cost for the consumer for having this facility?
- x) Does this project have anything to do with the North Ockenden Data Centre?
- y) What is the connection between Clearstone and Warley Battery Storage Ltd?
- z) How much money will the project make and how much will it cost?

5.5 In response, the applicant states the following in the SCI of "The applicant recognises that there are differing views on the principle of development and understands that residents have concerns related to the impact of development. The Applicant has sought to address these concerns positively, both within this document, and within the wider planning application documentation". The applicant's full response to the issues listed above is contained in the submitted SCI.

6 CONSULTATION RESPONSE

6.1 Statutory and Non Statutory Consultation

6.2 A summary of the consultation responses received along with the Officer comments

LBH Environment Health – (Air Quality and Contamination) – No objection on land contamination or air quality grounds subject to conditions.

LBH Ecology Consultant –we are now satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

With regard to the baseline details for mandatory biodiversity net gains, we support the submitted Biodiversity Net Gain Summary Report Rev A February 2025 (Clearstone Energy and Weddles) and Biodiversity Net Gain Statutory Biodiversity Metric calculation tool Rev A February 2025 Neil Northrop (John Harvey, Weddles, 03 October 2024). The habitat maps in the Biodiversity Net Gain report (Clearstone Energy and Weddles, October 2024) now cover the whole site, and the condition assessments have been added to the Preliminary Ecological Appraisal (PEA). The BNG calculation details are now consistent across the reports.

No ecology objection / No objection on Biodiversity Net Gain BNG subject to conditions.

LBH Landscaping Consultant – The latest Landscape Strategy plan 1643-003 Rev D address the request for additional detail information on proposed plant species and locations. We are satisfied with the proposed plant species, and we welcome the addition of multi-stem Acer campestre and Betula pendula to the planting scheme.

To improve visual appearance while planting is establishing, we would advise that the 2.4m High Paladin Security Fence is specified as colour black and not green.

We refer to our previous comment regarding the recommended conditions, including the consideration of a restoration and decommissioning plan.

LBH Waste Management – No Domestic waste associated with this application.

LBH Heritage Consultant– The proposal would have a neutral impact and would not harm any heritage asset. The proposal complies with Chapter 16 of the NPPF.

Environment Agency – Following review of the additional info dated 19.03.25, we are now in a position to remove our previous objection subject to conditions.

Health and Safety Executive – Battery Energy Storage Systems are usually not a relevant development in relation to land-use planning in the vicinity of major hazard sites and major accident hazard pipelines.

This is because they do not, in themselves, involve the introduction of people into the area. HSE's land use planning advice is mainly concerned with the potential risks posed by major hazard sites and major accident hazard pipelines to the population at a new development. No fundamental objection.

London Fire Brigade (LFEPA - Water Office) – No fundamental objection to proposed hydrants in the location as indicated in red on the attached plan.

Cadent – Confirm that cadent have no objection to the proposed planning application P1498.24 and the holding objection can be removed.

Natural England – Based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. No fundamental objection.

Friends of the Earth – This is inappropriate for land on the green belt. A brownfield site must be found, or some other solution. There will be adverse visual impact

UK Power Network – No fundamental objection to the scheme.

Historic England – The development could cause harm to archaeological remain and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains followed by full investigation if necessary. No fundamental objection raised subject to condition.

8. LOCAL REPRESENTATION

8.1. The application was advertised via a Press Notice and Site Notice displayed at the site for 21 days.

8.2. A total of 84 consultation letters were sent to neighbouring properties including businesses regarding this application.

8.3. 122 representations (119 objection, 3 support and 1 comment) have been received.

Representations

8.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objection

- i. Against this decision. This is green belt land and needs to remain this way. The views from these homes are amazing and being able to look at large open spaces is why people purchase these homes;
- ii. The development represents an unjustified intrusion into protected Green Belt;
- iii. A brownfield site must be found, or some other solution;

- iv. What battery storage is this? There is a risk of fires and hazardous gas pollution;
- v. Safety Hazard - The electromagnetic fields and potential risks to health
- vi. Increase traffic which will include large vehicles especially during construction, which the road cannot handle;
- vii. This will have a huge impact on all the wildlife;
- viii. If this goes ahead along with the Data Centre and the widening of the M25 there will be an enormous impact on the environment and harm to the wildlife;
- ix. This is a very good arable field and supports red list breeding species wildlife which are of conservation concern, i.e. Skylarks, Yellowhammer, Grey Partridge, Yellow Wagtail. 3 species of Owl also hunt the fields, any lighting would be detrimental to them;
- x. Not in keeping with local surroundings;
- xi. The proposed Battery Storage project, with its vast scale, would disrupt the rural atmosphere and change the character of this area;
- xii. Proximity to homes and businesses too close;
- xiii. Visual intrusion of the landscape;
- xiv. Will be a visual eyesore for local residents;
- xv. The proposal would significantly alter the openness of this green belt area;
- xvi. Too near schools;
- xvii. The area holds a great deal of water in the winter, allowing gradual drainage into brooks and ditches, preventing flooding to nearby properties;
- xviii. The proposed five-year delay until the project commences adds unnecessary uncertainty to the development. This prolonged waiting period increases the disruption to local communities and raises questions about the feasibility and commitment to the project;
- xix. Location Should Be Closer to the Substation;
- xx. Loss of Agricultural Land;
- xxi. Environmental impact being largest concern;
- xxii. Visual Impact from my property;
- xxiii. Impact on Mental Wellbeing;
- xxiv. The site plan originally presented during Community Engagement have since been altered. These changes are not reflected on the project's website, which still contains outdated information causing considerable confusion and concern within the local community.

Support

- i. Sounds like a good idea
- ii. Havering has not, historically, seen much private investment beyond housing developments, so this project represents a major opportunity for the area;
- iii. The landscaping plans could transform the site into a more scenic and accessible space for people to enjoy, adding something positive value to the community;
- iv. We believe this development will bring a significant boost to local employment and provide smaller businesses with opportunities to get involved in a large-scale project;

Comment

If the council is minded to approve this, the mitigation should be changed, to reflect lower noise decibel limits, the most modern, safest and efficient battery types, as well as greater bunds and green screening to completely obscure the batteries and other structures from sight. The amount offered by the applicant of £40k to £50k per annum for the benefit of the local council buildings and initiatives is far too low. This figure should be £500k per annum as a minimum in order to have a maximum impact to local

initiatives. This would still allow the applicant a profitable business, as the return on Capex of £100million as stated by applicant) is 7% per annum, ie £7 million. A much larger amount of this return should be given to council initiatives to offset the impact on green belt land.

Councillors Oscar Ford, Christopher Wilkins and Jacqueline Williams:

The land is designated Green Belt and the development does not appear to meet the very special circumstances required for such proposals, and is a loss of productive agricultural land.

Effects on water table and/or surface drainage which could lead to local flooding in the area.

The proximity to properties and businesses, including the visually intrusive nature of the proposal

Public/resident concerns including health and safety risks associated with battery storage in close proximity to properties

Officer comment: The issues raised are addressed in the context of the report.

9 RELEVANT POLICIES

9.1 The following planning policies are material considerations for the assessment of the application:

National Planning Policy Framework (2024)

The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Themes relevant to this proposal are:

- 2 - Achieving sustainable development
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 13 - Protecting Green Belt land
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment
- 16 - Conserving and enhancing the historic environment

London Plan 2021

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GG5 Growing a Good Economy

GG6 Increasing efficiency and resilience

D12 Fire safety

D14 Noise

G2 London's Green Belt

G6 Biodiversity and access to nature

G7 Trees and woodlands

G9 Geodiversity
HC1 Heritage
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy Infrastructure
SI12 Flood risk management
SI13 Sustainable drainage
T4 Assessing and mitigating transport impacts

Havering Local Plan (2021)

The following policies should inform design of the proposed development:

23 - Transport connections
26 - Urban design
27 - Landscaping
28 - Heritage assets
29 - Green infrastructure
30 – Biodiversity and geodiversity
33 - Air quality
34 - Managing pollution
35 - On-site waste management
36 - Low carbon design, decentralised energy and renewable energy

Havering Climate Change Action Plan (HCCAP) 2023

Havering Council declared a climate emergency in March 2023 and has an ambition to become carbon neutral by 2040. A revised Havering Climate Change Action Plan (HCCAP) provides, what it describes as, a fundamental tool in tackling climate change building on the foundations of a previous action plan.

10 MATERIAL PLANNING CONSIDERATIONS

10.1 The main planning issues raised by the application that the committee must consider are:

- Principle of Development
- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- Whether the proposal causes harm to the purposes of including land within the Green belt;
- The effect of the proposal on the character and appearance of the area;
- The effect of the proposal on the amenities of the occupiers of neighbouring properties;
- Climate Change;
- National Policy and recent appeals;
- Loss of agricultural land; and
- Whether the harm by reason of inappropriateness (VSCs), and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- The effect of the proposal on highway safety and the free flow of the road network;
- Archaeology;
- Ecology;
- Drainage;
- Health and safety;
- Decommissioning and liability;

10.2 Principle of Development

- 10.2.1 The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed all forms of electricity storage, other than pumped hydroelectric storage, from the definition of nationally significant energy generating stations under the Planning Act 2008. As such, any proposal for a Battery Energy Storage System below 200MW must be determined by Local Planning Authorities.
- 10.2.2 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Planning policies and decisions must also reflect relevant international obligations and statutory requirements (NPPF, par 2). For the purpose of determining this application, the development plan comprises the Havering Local Plan 2021, London Plan 2021 and the NPPF 2024. A core objective of the development plan is to address climate change and through Policy 36 'Low carbon design, decentralised energy and renewable energy', the Council sets out the parameters within which standalone renewable energy installations, which would equally apply to supporting infrastructure, shall be supported.
- 10.2.3 The NPPF advises that Local Planning Authorities should take a proactive approach to mitigating and adapting to climate change and to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (para 158). Battery Storage Facilities are a form of infrastructure that support the use and supply of renewable energy. The Planning Practice Guidance advises that "Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity" (Paragraph: 032 Reference ID: 5-032-20230814).
- 10.2.4 The NPPF through paragraphs 163 to 169 recognises the role planning plays in mitigating and adapting to climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
- 10.2.5 Specifically paragraph 163 states that when determining planning applications for renewable and low carbon development, local planning authorities should:

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

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

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.

10.2.6 The application explains that the proposed development would provide a source of continued power supply for the local area so that in the event of supply interruptions or surges in demand, the local community and businesses would continue to be served when renewable technologies are not producing, or when there is insufficient capacity within the Grid. Furthermore, it is stated that the BESS is part of a National Grid strategy, implemented and operated by third parties, to ensure continued power supply during a transition process away from large-scale fossil fuel installations to allow renewable energy installations to fulfil their value to our future energy requirements.

10.2.7 The proposal therefore aligns with the Government's objective to strengthen the electricity network and enable energy to be used more flexibly. The proposed development is therefore considered to be acceptable in principle in terms of the type of development. However, in order to establish the acceptability of the proposal on the site in question, all material planning considerations associated with the proposal must be considered, and are discussed within the following sections. It is however important to note that application highlights that the development does not contain any permanent buildings, and only introduces small temporary ancillary equipment required for operation. The proposal is entirely reversible and the land would return to agriculture on decommissioning.

10.2.8 In terms of the proposed location of the battery storage facility, the Planning Inspectorate has highlighted that "Locational factors that influence the siting of battery storage facilities include, provision of access to unrestricted network capacity, proximity to a financially viable access to the national grid and point of connection, availability of suitable land and the proximity of a point of access to the highway network" (appeal ref APP/H1705/W/21/3289603, par 30). In this instance, the proposed development would not be sited immediately adjacent to National Grid's substation and involves connection via cabling as part of the application. The reasoning for the site selection is therefore clear and accepted, however the site specific impacts of the proposed development and thus the acceptability of the development are however considered in the following sections.

10.2.9 In context of the above, Policy 36 of the Local Plan and Policy SI 2 of the London Plan provide in principle policy support for developments such as this, subject to the development being deemed acceptable in respect of all other material planning considerations.

10.3 Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies

- 10.3.1 The Havering Local Plan 2013 identifies the site within the Green Belt.
- 10.3.2 In relation to Green Belt Policy, the development plan (Havering Local Plan 2021) and NPPF confirm that both the Local Plan and Government guidance attaches great importance to Green Belts. 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 (Para 142 NPPF).
- 10.3.3 Paragraph 143 of the NPPF confirms that the Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.3.4 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Para 153 NPPF).
- 10.3.5 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (Para 153 NPPF).
- 10.3.6 Paragraph 154 of the framework states that the construction of new buildings is inappropriate in the Green belt and identifies a number of exceptions to this. The proposed development is not included within the list of exceptions.
- 10.3.7 Paragraph 154(h) confirms some other, named, forms of development are not inappropriate in the Green Belt if they preserve openness and do not conflict with Green Belt purposes. These include engineering operations and some changes of use of land.
- 10.3.8 Paragraph 160 confirms that many elements of renewable energy projects will comprise 'inappropriate development' in the Green Belt. Developers will need to demonstrate 'very special circumstances' if projects are to proceed. These may include wider environmental benefits associated with increased production of energy from renewables.
- 10.3.9 Policy G2 of the London Plan 2021 advises that development proposals that would harm the Green Belt should be refused except where very special circumstances exist.

- 10.3.10 It can be seen that there is a strong presumption against new development unless it is considered to be appropriate in the Green Belt as defined by the policies in both the NPPF, London and Local Plans.
- 10.3.12 Inappropriate development as defined by the NPPF is considered to be harmful to the Green Belt and that harm carries substantial weight. A planning permission should not be granted unless there are material planning considerations of such weight to clearly override that Green Belt harm and any other harm. Very special circumstances (VSCs) will therefore be needed to justify any grant of consent.

10.4 The effect of the proposal on the openness of the Green Belt

- 10.4.1 “Openness” is not defined either in the NPPF or in any development plan policies but is widely taken to mean an absence of building or development. It is also widely accepted that the extent to which a building or development may be seen from the public realm is not a decisive matter.
- 10.4.2 Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts; the fundamental aim of Green Belt policy is to prevent urban sprawl but keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 10.4.3 The site is currently undeveloped agricultural fields bounded on the eastern side by St. Mary’s Lane and on the western side by Warley Street and the site presents an open rural character and appearance overall. To the north of the site, the openness is tempered by the commercial buildings and structures at the Upminster Trading Park, Warley Street and a cluster of two blocks of two-storey terrace houses totalling 10 and a pair of two-storey semi-detached houses set some 322m to the south along St. Mary’s Lane. The Green Belt and its open nature towards the borough boundary to the north and east, is valuable in its continuity and appears not vulnerable to erosion of the essential characteristics of Green Belt land and the purposes of the Green Belt.
- 10.4.4 The nearest public vantage points into the site are from the public footpath from St. Mary’s Lane to the east and from Warley Street which runs along the western boundary of the site. The operational and landscape areas form part of a larger field parcel amounting to some of 17.92 hectares. The gross site area of the three elements, comprising the proposed development as a whole as defined by the redline boundary, amounts to 11.05 hectares (An operational area – 3.67 ha (including the accesses and substation), Landscaping and biodiversity area – 2.25 ha, and Cable route – 5.13 ha). The proposed built form would cover approximately 3.67 hectares (33%) of the site area. The proposed containers, inverters and other equipment would be relatively modest in size and widely distributed throughout the site. These would be relatively low-lying, and the facility would be enclosed by a relatively dense landscaping screening and a 2.4m high palisade fence.
- 10.4.5 In spatial and visual terms, the proposal would include a number of industrial features that would cumulatively erode the undeveloped nature of the existing site. The BESS is proposed for a temporary 40-year period. This represents a considerable period of time, however, the impact upon the Green Belt would not be permanent, limiting its long-term effects. Therefore, taking both visual and spatial impacts of the proposal together, the proposal would result in a significant impact

upon the openness of the Green Belt, notwithstanding the landscape mitigation proposed.

10.5 Whether the proposal causes harm to the purposes of including land within the Green belt.

10.5.1 Paragraph 143 of the NPPF defines the five key purposes of the Green Belt, safeguarding the countryside / rural landscape from encroachment being one of them. In terms of encroachment, the proposed scheme would place a range of industrial plant within a fenced compound. This would enclose the existing open green space and result in development and subsequent significant encroachment, in contradiction to 1 of the 5 purposes of including land within the Green Belt.

-Green Belt Summary

10.5.2 In summary, the proposed BESS represents inappropriate development which is by definition harmful to Green Belt (NPPF para 153). The proposal causes significant harm to the openness of the Green Belt since it would involve significant new development into an area which is currently open countryside. Further, given the physical extent of the land take required for the development, it would also cause significant encroachment upon the countryside harming 1 of the 5 purposes of including land within the Green Belt. The harm identified attracts substantial negative weight in the planning balance.

10.5.3 The proposal therefore does not accord with the London Plan in respect of Policy G2 nor does it accord with those categories of development deemed appropriate within Green Belts by the Framework. The fundamental question then becomes whether there are very special circumstances. These do not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.5.4 The matter of VSC will be returned to later in the Planning Balance section in this report.

10.6. The effect of the proposal on the landscape character and appearance of the area

10.6.1 The NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment (par 187) and Policy 27 'Landscape' of the Local Plan outlines that new development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic local landscape character and street scene.

10.6.2 The applicant has submitted a Landscape and Visual Appraisal (LVA). The LVA identifies and outlines the existing landscape character and visual amenity receptors within the area, to assess the potential impact of the proposal. Impacts and effects are assessed at significant stages in the life of the proposed development, including construction, operation and decommissioning.

10.6.3 The landscape proposals have been developed to respond to the relevant strategies. The detailed landscape design sets out the planting strategy for the

probably take 10-15 years before it begins to provide useful screening to the development.

- 10.6.9 The proposals will introduce technical/infrastructural elements into the agricultural landscape that are not characteristic but would be experienced in the context of other features of a similar nature that already exist in nearby landscape that are of a larger scale such as the Warley Substation and solar farms on Clay Tye Hill. While the proposals would be noticeable and a recognisable new feature they would avoid being overly prominent or dominant due to their general low level and being contained within the existing field pattern. Furthermore, the opportunity to mitigate its impact through the enhancement of hedgerow and tree planting, the actual impact on the landscape character of this additional development is considered to be local in extent and moderate in scale.
- 10.6.10 The assessment found that the site could accommodate the development proposed without significant adverse impacts to the landscape character or visual amenity of the area, which can be lessened by the mitigation proposed through the landscape strategy. The Council's Landscape Officer has not raised any fundamental objection to the proposal on the basis that the landscape and visual effects have been reduced to negligible.
- 10.6.11 It is considered that the proposal would result in moderate landscape and visual harm contrary to Policy 26 of the Local Plan. This is given negative weight in the planning balance. The scale and extent of the landscape and visual impact will need to be considered within the overall planning balance against the benefits of the proposal.

10.7 The effect of the proposal on the amenities of the occupiers of neighbouring properties

- 10.7.1 The NPPF advises that the planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability (para 187). This aim is also reflected within Local Plan policies 26 'Urban design' and 34 'Managing pollution' which seek to secure a high standard of design in all new development with one key element being the need for consideration be given to the compatibility with adjoining land uses and the impact on the amenities of existing occupants as a result of noise or air pollution etc.
- 10.7.2 According to the submitted Noise Assessment Report, "the calculated noise from the site is well below the measured ambient noise levels and would not result in any significant increase in those ambient noise levels.
- 10.7.3 The report relates to the potential impact of the operational noise arising from the running of the proposed development when assessed at nearby noise sensitive receptors. The sensitive receptors used in this assessment are marked R1 – R3 on Figure 3 of the Noise Assessment Report and are as follows:

R1: Gated Community off St Mary's Lane to the east located approximately 265m away;
R2: Houses on St Mary's Lane to the south located approximately 347m away;

R3: Houses on Warley Street to the north located approximately 793m away.



Receptor and Noise Monitoring Locations

- 10.7.4 Given the separation distances involved the proposed development would not harm residential amenity in terms of daylight and sunlight, loss of privacy or an overbearing impact. Potential noise impact is considered below.
- 10.7.5 The comparison with the BS8233 guidance criteria indicates that in absolute terms the calculated daytime noise levels are well below the criterion for gardens. The calculated levels of daytime noise intrusion into properties with the windows open are well below the daytime noise criteria. The calculated levels of night-time noise intrusion into properties with the windows open are around or below the night-time noise criteria. This calculation is provided only to give an indication of the scale of the plant noise levels and any properties with windows open would have higher levels of noise intrusion from other noise. The calculated noise from the site is well below the measured ambient noise levels and would not result in any significant increase in those ambient noise levels.
- 10.7.6 In summary, the assessment identifies that no significant change in ambient sound level will be engendered as a result of the proposed development in its proposed and assessed form, at either residential or public amenity space receptors. Consequently, the assessment demonstrates that the proposed development will give rise to a Low Impact in the context of BS8233 guidance.
- 10.7.7 The Council's Public Protection Officer has reviewed the evidence submitted and confirms the findings and raises no objection to the proposed development.
- 10.7.8 It is recognised that there may be some disturbance created during the construction phase, however the site is remote enough that impacts due to noise and dust from its construction is unlikely to significantly impact on local residents. It is however

recommended that a Construction and Environmental Management Plan (CEMP) be submitted and approved via condition, which would also control the construction hours as requested by the Council's Public Protection Officer.

- 10.7.9 On this basis, it is considered that the proposed development will not conflict with the relevant policies of the plan, including Local Plan policies 26 and 34, or with relevant provisions of the NPPF.

10.8 Climate change

- 10.8.1 In March 2023 the Council made a climate emergency declaration and a statement of intent to protect the environment. This was unanimously approved by the Council and has led to the development of the Council's Net Zero Action Plan and supported the evidence base to deliver new policies within the Havering Local Plan Review HLPR. Also, the adopted Policy 36 of the Local plan sets out measures to help tackle climate change through new development, this is echoed in the London Plan requiring new development to meet up to date Climate Change and sustainable policies – responding to the aims and objectives of the Climate Change deceleration.
- 10.8.2 Nevertheless, existing planning applications such as this, are already required to perform well against wider climate change and sustainable policies. To this end, officers have sought to achieve the best solutions as part of this application within the remits of adopted policy. Matters of sustainable urban drainage can be secured, a net gain in biodiversity can be achieved and landscaping limits tree loss and providing mitigation where appropriate.
- 10.8.3 There is little doubt that battery storage units are set to play an important role in the transfer of energy supplies from fossil fuels to renewables. Renewable energy amongst other sources is created through the capture of energy from solar arrays, wind and tidal. Here in Havering, it is likely that the majority of green energy will be sourced from solar sources. Net Zero is a goal that the energy sector is working to, with an aim of achieving this by 2050. As Britain moves towards achieving this goal more and more reliance will be placed on renewable energy sources, whereas creation and supply of energy from non-renewables (carbon) is set to decrease.
- 10.8.4 There is therefore a challenge to capture and store renewable energy within National Grid's infrastructure so that the demands of the consumer during night-time hours and over winter months is met, because clearly energy sourced through solar cannot be created during night-time hours or in certain weather conditions. Whilst a BESS does not increase the overall capacity of energy travelling through national grids infrastructure, a BESS will allow electricity to be stored at times when supply exceeds demand. At these times, energy can be stored by the BESS and is only released when demand exceeds supply along the main network. The reliance on the use of coal fired powered stations during evening hours will therefore be diminished. Whilst National Grid has not commented as to whether they support or object to this planning application, the applicant has provided supporting document which shows arrangement with the National Grid to connect to the local Warley Substation which is planned to be expanded.
- 10.8.5 Presently, BESS can only be proposed, where any particular substation is not working at full capacity and therefore has unused capacity to move electricity

around the network. For the avoidance of doubt, a BESS do not in themselves create additional capacity for creating electricity, they simply make best use of capacity within the existing grid. Going by previous similar planning applications, National Grid has confirmed that they cannot rely on battery storage as a guaranteed source of power for the network, the core capacity of the grid won't change only the method of energy generation. It is the responsibility of the National Grid to expand its network to respond to economic development needs.

- 10.8.6 The proposal accords with provision of Policy 36 'Low carbon design, decentralised energy and renewable energy' and positive weight is given to the planning balance.

10.9 National Policy and recent appeals

- 10.9.1 The proposed scheme is designed to store 200MW within the batteries and would be able to absorb and release energy to and from the power network.
- 10.9.2 The applicant identifies a national need for energy storage facilities. This both ensures energy security and assists the Country in achieving a net zero economy. Current National policy and recent relevant appeal decisions are in support of the principle of this type of development.
- 10.9.3 The provision of low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF. There is strong national policy support from the Government's Energy White Paper (Energy White Paper Powering out Net Zero Future (2020)) and National Policy Statement EN-1 (NPS) (Overarching National Policy Statement for Energy (EN-1)(2023)), for the development of battery storage, which would aid in the storage of energy generated from renewable sources which by their nature, intermittently generate energy. Additionally, the NPS advises that storage is needed to reduce the costs of electricity and increase its reliability.
- 10.9.4 National Grid's Future Energy Scenarios (2021) advises that currently the energy storage capacity in the UK is 4GW and by 2050 it is anticipated that 40GW of storage capacity would be required in order to meet the UK's target of net zero carbon by 2050.
- 10.9.5 A material consideration in the determination of planning proposals for renewable energy are the National Policy Statements (NPS) for the delivery of major energy infrastructure. The NPSs recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. The Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) both state that the NPSs can be a material consideration in decision making on applications that both exceed or sit under the thresholds for nationally significant projects. Further, Paragraph 213 of The Energy Act 2023 now includes energy provided from battery storage as its own subset of energy generation.
- 10.9.6 The NPPF explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. The policy support for renewable energy and associated development given in the NPPF is caveated by the needs for the impacts to be acceptable or capable of being made

so (paragraph 161). The Framework also confirms that applicants are not required 'to demonstrate the overall need for renewable or low carbon energy' (para 167).

10.9.7 Recent appeal decisions have given substantial weight to battery storage development. Comparable schemes which have been allowed on appeal on Green Belt sites include 50MW BESS in South Gloucestershire (PP/P0119/W/20/3261646), 50MW in Barnet (APP/N5090/W/22/3298962), 320MW in Selby (APP/N2739/W/22/3300623), 99.8MW in Halesowen (APP/C4615/W/24/3345744)

10.9.8 The significant energy storage benefit of the proposal must be accorded substantial weight.

10.10 **Loss of agricultural land**

10.10.1 The existing use of the site is agriculture. The NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by "...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland, and of trees and woodland" (paragraph 187).

10.10.2 Natural England's Technical Information Note TIN049 '*Agricultural Land Classification: protecting the best and most versatile agricultural land*' explains that: "the Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system... The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (see Annex 2 of NPPF)"..

10.10.3 The site comprises Grade 3b agricultural land which is confirmed within the Agricultural Land Classification report (October 2024) by Amet Property Ltd. The site does not therefore include the 'best and most versatile agricultural land'. The development will also not result in the loss of a 'significant' amount of agricultural land due to the site area. Further, it should be noted that the BESS is for a temporary period on 40 years and the land would then return to its existing use as agricultural land. This is given neutral weight in the planning balance. There is therefore no conflict with planning policy in this regard and the need for the facility against the loss of the small area of agricultural land will need to be considered within the overall planning balance.

10.11 **Whether the harm by reason of inappropriateness (VSCs), and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development**

10.11.1 The applicant acknowledges that the proposal would constitute inappropriate development in the Green Belt, which causes harm to openness and harm to the purposes of the Green Belt and has therefore put forward a case for very special Circumstances (VSCs) in section 6 of their Planning Design Statement and Alternative Sites Assessment as set out, appraised and discussed below as follows:

The temporary and reversible nature of the proposal

10.11.2 The Application is proposed for a lifetime of 40 operational years. After the 40-year period the Proposed Development would be decommissioned and all equipment removed from the Site. The Openness of the Green Belt will be preserved in the long term.

10.11.3 The temporary impact of construction traffic associated with the Proposed Development will be limited to the construction period of approximately 26 weeks (though could be up to 1 year) and will not have a material effect on the safety or operation of the local highway network.

10.11.4 The temporary period is for 40 years, although the land will be reinstated to its former use, this is a significant length of time. Therefore, very limited positive weight is given to this matter in the planning balance.

Increasing renewable energy generation

10.11.5 The proposal would provide high-speed energy balancing services to the National Grid. The UK is at a time of climate emergency and there is an urgent need for renewable energy infrastructure in order for the UK to meet the target to reduce greenhouse gas emissions to net zero by 2050 in accordance with the Climate Change Act 2008. BESS are essential in achieving these targets.

10.11.6 The 'UK Climate Change Risk Assessment 2022' (January 2022) makes it clear that "climate change is happening now. It is one of the biggest challenges of our generation and has already begun to cause irreversible damage to our planet and way of life" and "to achieve net zero, we must integrate adaptation action into mitigation efforts. Successful mitigation will in turn ensure adaptation remains achievable. This includes the need to ensure our increasingly electrified power system, nature-based solutions and other low carbon infrastructure are resilient to future climate impacts".

10.11.7 The NPS EN-1 and NPPF state that renewable and low carbon energy should be supported in the planning system, as part of working towards a radical reduction of greenhouse gases to tackle climate change. Paragraph 165 encourages local planning authorities to maximise the potential for renewable or low carbon energy and to approve such applications where their impacts are acceptable.

Climate Emergency

10.11.8 On a local level, Havering Council (Havering Climate Change Action Plan (HCCAP) has set an ambitious target to become carbon neutral by 2040.

10.11.9 The Proposed Development would make a significant and valuable contribution to achieving emission targets on a national and local level.

Energy Security

10.11.10 The Proposed Development supplies energy to the National Grid, comprising secure, distributed and diversified energy generation which accords with the Government's policy on energy security as identified within NPS EN-1 which explains the need for energy security allied with a reduction in carbon emissions.

10.11.11 The 'British energy security strategy' (April 2022 and updated in 2024) and 'Powering Up Britain' report (March 2023) were prepared in response to rising global

energy prices, provoked by surging demand after the pandemic as well as conflict in Eastern Europe. These strategies are very clear that all forms of flexibility with sufficient large-scale, long-duration electricity storage to balance the overall system by developing appropriate policy to enable investment will be required.

- 10.11.12 Electricity storage is widely recognised as a key technology in the transition to a smarter and more flexible energy system and the Government acknowledges that it will play an important role in helping to reduce emissions to net-zero by 2050.
- 10.11.13 In July 2017, the Government and Ofgem published the 'Smart Systems and Flexibility Plan', followed by a 'Progress Update to the Plan in July 2021. These documents set out 38 actions for the Government, Ofgem and the industry to take forward to support the transition to a smarter and more flexible system, including removing barriers to electricity storage. This document has recently been updated by the 'Transitioning to a net zero energy system which was published in July 2021.
- 10.11.14 In June 2019, the UK became the first major economy in the world to pass laws to end its contribution to global warming by 2050. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 sets a legally binding target to bring all greenhouse gas emissions to net zero by 2050, compared with the previous target of at least 80% reductions from 1990 levels.
- 10.11.15 The UK Government published its Energy White Paper in December 2020. The Paper builds on the then Prime Minister's Ten Point Plan to set the energy-related measures consistent with net zero emissions by 2050. One of the key aspects of achieving net zero identified in the paper is the modernisation of the energy system. The Paper indicates that electricity demand in the UK could double by 2050 due to the electrification of transport and heating.
- 10.11.16 Furthermore, in March 2023, members of Havering Council unanimously recognised the scale of the climate change emergency. In response to the seriousness of the situation, the target is for Havering as a Borough to reach net zero emissions by 2040. In addition, tackling climate change is an integral part of the Council Plan.
- 10.11.17 All forms of electricity generation exhibit uncontrolled increases or decreases in output (intermittency) and the term intermittency is typically associated with the renewable technologies of wind and solar. The inflexibility of large-scale generation facilities and renewable energy sources to respond to peak power variations in energy demand mean that Battery Storage developments are essential to balance the supply and therefore maintain energy security for the neighbouring communities and businesses.
- 10.11.18 The Government supports National Grid's position that these energy storage facilities plants are a crucial balancing mechanism to ensure continuous supply of power during the transition to a low carbon economy and are therefore an important solution to the emerging energy crisis.
- 10.11.19 Policy 36 (Low carbon design, decentralised energy and renewable energy) of the Local Plan and Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan aim to make the community more resilient to climate change through passive measures such as the lifespan of housing and other energy consuming development.

It also notes that the policy encourages decentralised energy and heating networks. The policy also states that impacts of infrastructure on the natural, built, and historic environment will be considered and that considerable weight will be given to reduction of greenhouse gas emissions.

10.11.20 The NPPF explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. Paragraph 168(a) also explains that local planning authorities should not “require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future”

10.11.21 This benefit weighs strongly in favour of the proposal.

Good Design

10.11.22 Through undertaking an iterative design process as outlined in the Planning Design and Access Statement, the design of the proposed development has been a key consideration in the layout of the site through the placement of equipment and proposed landscaping to minimise harm, including significant amounts of tree planting, providing significant benefits to the development as a whole.

Ecological and Biodiversity Enhancements

10.11.23 The significant enhancement of the biodiversity of the Site is demonstrated by the Net Biodiversity Gain Calculator, which concludes that biodiversity would be significantly improved with 24.06% net gain in habitat units and 42.27% net gain in hedgerow units through the implementation of the proposed development.

10.11.24 The proposal includes significant on-site Biodiversity Net Gain and positive weight can be attributed to this matter in the planning balance.

Agricultural Land

10.11.25 Whilst the Framework presently refers to the availability of agricultural land used for food production it seeks to prioritise lower grades of land first. The general ALC Map shows much of the land around North Ockenden to be Grade 2, however, land to the north, including the site of the Proposed Development is not, and the Agricultural Land Assessment submitted with this application demonstrates that the land is not the ‘Best and Most Versatile’ hence, a preferable choice compared to other similar land use.

10.11.26 Moreover, the use is temporary, and once decommissioned it will be restored to productive agricultural use. On return to agriculture, the land will have been ‘rested’, not subject to intensive use of fertilisers and agricultural chemicals – which will also have a beneficial effect on ground water quality. It should therefore be in at least equivalent if not better condition than at the time the development is brought into use. This is given neutral weight in the planning balance.

Openness and permanence

10.11.27.1) Spatial and visual aspects – The battery storage units and other structure and equipment elements of development will be contained within the existing field margins. The fencing will be 2.4m high and can be painted a recessive colour, such as dark green or brown, however, the landscape consultant has advised the use of

black colour to reduce the visual impact. Additional planting is proposed along the eastern, southern, northern and western boundaries, combined with the existing extensive field margin planting which will be retained. The landscape and visual appraisal concludes that any notable effects on landscape character or visual receptors would be confined mostly to adjacent receptors, with visual effects reduced by the proposed mitigation and existing surrounding context. The mitigation measures involving planting of new native trees and hedgerows will help to minimise potential negative impact on the openness of the countryside to a considerable extent. The underground grid connection to the Warley National Grid Substation will not give rise to any spatial or visual effects on the openness of the Green Belt.

10.11.28.2) Duration and remediation – Regarding permanence, the development of a BESS is not a “gateway” to other forms of development. The Applicant assumes a decommissioning condition to be attached to the planning permission; when the use of land for electricity storage ends, the batteries and associated equipment shall be removed, the planting will remain, and the site shall be restored to its current condition. There will be no harm to the Green Belt in terms of permanence.

10.11.29.3) The degree of activity to be generated such as traffic – The BESS will generate very little traffic in its operation and there will be no moving parts that need regular maintenance.

10.11.30 The proposal would include a large number of industrial features that would erode the undeveloped nature of the site. However, these elements would be limited to a much localised visual impact. The BESS is proposed for a 40 year period. This represents a considerable period of time over which the affects would be experienced. Nonetheless, the impact on the Green Belt would not be permanent, limiting its long-term effects.

Lack of available non-Green Belt Sites.

10.11.31 The National Grid infrastructure means that there are only limited assets available to provide stability and control to the network which renewables require as they provide fluctuating energy when demand may be low.

10.11.32 National Grid have identified the Warley Substation, as the main National Grid substation in the Borough of Havering, as having capacity for a BESS of 200MW.

10.11.33 Furthermore, the applicant has identified key considerations when identifying appropriate sites for BESS developments of this size summarised as follows:

- Grid Connection – National Grid provided a 200MW Grid Connection at Warley 275kV Substation, forming the basis for the project search location;
- Grid Connection Route Constraints;
- Distance from Grid Connection – proximity to electricity infrastructure (for example an existing National Grid Substation of sufficient scale and capacity);
- Open Land minimum of 4ha site area and maximum of 10ha site area of land is required to accommodate 200MW BESS facility;
- Topography a relatively level and clear site is required;
- Land-use previously developed land or lower-grade agricultural land preferred due to conformity with planning policies; that BESS is incompatible within built up and residential areas and industrial estates;

- Land availability; `
- Environmental and Land Designations;
- Flooding/Drainage Ideally outside of Flood Risk areas;
- Accessibility Appropriate and functional access is required, including for larger vehicles during construction;
- Residential Amenity - Suitable separation distance from sensitive receptors.

10.11.34 Given that the Warley Substation has been identified as the only connection point with sufficient capacity within London Borough of Havering, the site selection process has been limited to a 3km (1.86miles) radius of the connection point. Sites beyond 3km including Local Nature Reserves, or SSSI's are automatically discounted due to the viability of connection to the grid beyond this distance, as explained above.

10.11.35 Section 3 of the Alternative Site Assessment highlights constraints within the site search area and the statement concludes that there are no feasible locations for the proposed development that are outside of the Green Belt and the entire search radius is within the Green Belt. Further the Local Plan does not identify any such sites.

10.11.36 This consideration carries substantial weight as the locational requirements for the proposal are limiting and site specific with no more suitable, non-Green Belt sites being available.

Conclusion

10.11.37 The application proposes a development to provide a BESS facility which will allow the more efficient use of energy and will as a result, help to reduce carbon emissions to the benefit of the environment. This is in accordance with national and local planning policy and weighs strongly in favour of the development.

10.11.38 It is considered that the proposed development would conflict with the purposes of the Green Belt; namely encroachment. There is potential for adverse landscape and ecological impacts, however, it has been demonstrated that these can be mitigated through landscaping and biodiversity net gain. There will be no significant adverse impacts on residential amenity locally or any potential for significant noise impact. Whilst there would be an impact on the openness of the Green Belt in both spatial and visual terms, these are limited in terms of the surrounding context, the low scale of the development and proposed additional planting.

10.11.39 Any harm to the Green Belt attracts substantial weight. The 'very special circumstances' required to approve 'inappropriate' development in the Green Belt will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.11.40 Very special circumstances relating to the locational need, the sustainability benefits of the proposal in helping to contribute to the nation target of decarbonisation by balancing the supply and demand of the electricity network have been put forward. As such, great weight should be afforded to this.

10.11.41 It is considered that very special circumstances exist which clearly outweigh the harm caused by inappropriateness to the Green Belt. Landscape enhancements will ensure that there is an increase in biodiversity and that the development is relatively well integrated into the wider landscape with any visual harm being very localised.

10.11.42 In conclusion therefore, there is merit in the argument that there are limited site opportunities for developments of this nature. Energy storage facilities do need to be sited in locations where available connection into the National Grid exist. In this case that means that a Green Belt site is almost inevitable. Given the national and local policy in providing energy infrastructure, it is considered that these factors clearly are sufficient to tip the balance in favour of finding that the proposal can be supported and thus that they amount to the very special circumstances necessary to support the proposal.

10.11.43 Therefore, notwithstanding that the proposals would represent inappropriate development in the Green Belt, in the particular circumstances of the case, very special circumstances do exist in this instance.

10.12 Other material considerations

10.12.1 The effect of the proposal on highway safety and the free flow of the road network
The NPPF indicates that developments should only be prevented if a safe and suitable access to the site cannot be achieved.

10.12.2 Policy 23 of the Havering Local Plan 2021 requires all development proposals to have regard to transport efficiency and highway safety and to demonstrate that adverse impacts on the transport network are avoided or, where necessary, mitigated.

10.12.3 Paragraph 116 of the Framework indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 23 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

Parking

10.12.4 There is no fixed parking standard for the proposed use which, therefore, has to be assessed individually having regard to the demand profile of the development. There is no designated parking proposed within the site. Once operational, the BESS will be remotely monitored and requires occasional maintenance visits on an as required basis. Vehicle parking will be accommodated using the access track that run past the batteries.

Construction Traffic

10.12.5 Trip Generation (HGV) – It is anticipated that the construction phase will last between six to twelve months. The largest vehicle that will be used to deliver equipment to the site will be a 16.5m articulated vehicle or 8-10m rigid vehicles.

10.12.6 During the construction period, it is anticipated that approximately 277 deliveries could be made by during the construction of the BESS facility, at an average of approximately two deliveries per day assuming a six months construction period (26

weeks or 150 working days), equating to an average 11 deliveries per week over a 26 week period.

- 10.12.7 However, if a 25% buffer is added on to these deliveries, there will be 346 deliveries, at an average of just over three vehicles per day.
- 10.12.8 According to the submitted Construction Traffic Management Plan (CTMP), there is likely to be a small peak in deliveries early in the construction process for Site set-up, including the construction of the access track and then again when the electrical equipment (BESS units) are ready for installation.
- 10.12.9 The Applicant has advised that there will be no more than 10-15 deliveries per day by HGV during this period, which will last approximately four to six weeks
- 10.12.10 As the application site is proposed to generate, on average 2, two-way vehicle trips per day. As such, it is considered that the proposal is unlikely to generate a significant increase in vehicle trips to have a severe impact on public highway safety, or on the operation or capacity of the local highway network.
- 10.12.11 The Planning Statement submitted states the development once operational, maintenance vehicle visits (typically a transit van or similar) will be limited in number and visiting the site approximately 10-20 times per year. These visits will have a negligible impact on the local highway network.

Access

- 10.12.12 All vehicles will route to the Site from the A127 (Southend Arterial Road) to the north of the Site. Construction vehicles will then exit the A127 onto the B186 (Warley Street) where they will continue for approximately 1.2km before turning left into the Primary Site Access.
- 10.12.13 As set out in Paragraph 6.11-6.13 of the CTMP, a booking system will be in place for the duration of the construction phase. All deliveries be given a time-slot to arrive. Vehicles will not be permitted to depart the Site when another vehicle is expected to arrive. This will prevent instances of vehicles having to pass each other on the road or a vehicle arriving to the site at the same time as another vehicle is departing. As another level of precaution, banksmen will be present at the access on Warley Street to ensure that vehicles arrive and depart the Site in a safe manner.

Public Rights of Way

- 10.12.14 There is one existing Public Right of Way (PRoW) which runs alongside the north-eastern boundary of the Site. It is not anticipated this will be affected by the construction or operation of the proposed development.
- 10.12.15 The proposal therefore accords with Policy 23 of the Local Plan and guidance within the Framework. This should be accorded neutral weight in the planning balance.

Archaeology

- 10.12.16 The site is not within the setting of a listed building or conservation area nor lies within an archaeological priority area.
- 10.12.17 The NPPF paragraph 207 requires that where a site on which development is proposed includes, or has the potential to include, heritage assets with

archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 10.12.18 It is probable that the site has been in agricultural use since at least the medieval period. The applicant has submitted a Heritage Environment Desk-Based Assessment with the supporting information for this application. Limited evidence for prehistoric activity has been recorded across the surrounding area this may be a reflection of the limited number of previous archaeological interventions. The potential for prehistoric archaeological remains to survive across the site should therefore be considered as unknown.
- 10.12.19 The Council's Heritage Consultant and Historic England (GLAAS) have raised no objection to the proposal. GLAAS has advised that the development could cause harm to archaeology remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological pre-commencement condition is recommended in order to provide an acceptable safeguard. This condition is therefore imposed, which will require trial trenching on the site, which will define the character, extent, state of preservation and importance of any archaeological remains present and will provide useful information for identifying options for minimising or avoiding damage to them.
- 10.12.20 Subject to conditions the proposal would comply with policies 28 of the Local Plan, HC1 of the London Plan and the NPPF. This should be accorded neutral weight in the planning balance.

Ecology

- 10.12.21 Policies 30 of the Local Plan and G6 of the London Plan seek to protect habitats and to conserve, enhance and restore biodiversity. The policy is consistent with the NPPF and thus carries significant weight.
- 10.12.22 The NPPF contains a number of policies relating to ecology including "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".
- 10.12.23 The applicant has submitted a Preliminary Ecological Appraisal and a Breeding Birds Survey Report (PEA), which has been updated through the course of the application process to address the concerns raised by the Council's Ecology Consultant. According to the consultant, the updated survey report now has sufficient ecological information available to support determination of this application; and provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 10.12.24 The Ecology consultant advised that while the PEA states that no trees were considered as having bat roost potential, that there are mature and semi mature trees, and trees with dead wood (and evidence of Oak Processionary Moth) recommending that roosting bats is included in the Construction Environment Management Plan for biodiversity (CEMP) to ensure that they are reconsidered should there be a time lapse prior to any clearance works.

- 10.12.25 The site layout preserves and enhances boundary vegetation and existing trees. As a result of the proposed habitat creation, the grassland connectivity in the wider area would also improve.
- 10.12.26 The Council's Ecologist is satisfied that Biodiversity Net Gain can be achieved as the habitat maps in the Biodiversity Net Gain report (Clearstone Energy and Weddles, October 2024) now cover the whole site, and the condition assessments have been added to the PEA. Support is also given to the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (December 2024).
- 10.12.27 Subject to the inclusion of the requested conditions, it is concluded that the proposal is compliant with policies 30 of the Local Plan and G6 of the London Plan. Limited positive weight can be attributed to this matter in the planning balance.

Drainage

- 10.12.28 Policies SI13 of the London Plan and 32 of the Local Plan relate to water management and require that the Council recognises the need for water efficiency in all new development, and that all new development shall incorporate sustainable drainage systems, unless it is shown to be impractical to do so.
- 10.12.29 Paragraph 181 of the Framework advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 10.12.30 The Planning Practice Guidance (PPG) advises that when considering major development (such as the current application), sustainable drainage systems should be provided unless demonstrated to be inappropriate.
- 10.12.31 In term of what sort of sustainable drainage system should be considered, the PPG advises 'generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system; and
 4. to a combined sewer.
- 10.12.32 Particular types of sustainable drainage systems may not be practicable in all locations. It could be helpful therefore for local planning authorities to set out those local situations where they anticipate particular sustainable drainage systems not being appropriate' (Paragraph: 080 Reference ID: 7-080-20150323).
- 10.12.33 The site is greater than 1 hectare and is within Flood Zone 2, as such a Flood Risk Assessment and Sustainable Drainage System (SUDs) scheme have been submitted to support the planning application. According to mapping produced by the Environment Agency and held by the Council, areas of the site along the eastern most site boundary are at risk of surface water flooding. It is therefore recommended that the development is constructed using flood resilient construction techniques

and permeable surfaces where possible and ensuring the site levels design does not cause an increased flood risk to third parties.

- 10.12.34 The Lead Local Flood Authority (LLFA) have confirmed no objection to the proposal and notwithstanding the submitted documents, a scheme to manage the surface water runoff from the development will be required by condition. Subject to condition the proposal therefore accords with the aforementioned policies and guidance in the Framework. This should be afforded neutral weight in the planning balance.

Health and Safety

- 10.12.35 Local residents have raised concerns that the development could be vulnerable to fire, providing references to fires that have occurred at other BESSs. The site is a considerable distance (265m) from the nearest residential property and therefore the risk of a fire effecting neighbouring residential areas would be minimal. There is no compelling evidence to demonstrate that the facility would be hazardous or incompatible with its location within the open countryside. In the event of a fire, the facility would be accessible by a fire tender and London Fire service have raised no objection.
- 10.12.36 Moreover, the applicant has provided documentary evidence showing that the National Grid have confirmed that licence to connect to National Grid infrastructure will be likely to be issued. Furthermore, a network study and review is undertaken by National Grid to ascertain that proposed inverters are compliant with relevant safety standards set by the Energy Networks Association. If the battery storage is sufficient in size, witness testing may be required by National Grid to ensure the inverter is in working order. This aspect is dealt with outside of the planning system.
- 10.12.37 In addition, the Health and Safety Executive (HSE) were consulted and have raised no health and safety concern. The applicant has submitted a Site Safety Report which sets out an overview of management and safety measures to be implemented as part of the battery storage facility to safeguard the amenity of local residents and the environment.
- 10.12.38 BESS projects are heavily regulated and the facility could not be connected without the relevant Legislation and standards being met. In a worst-case scenario event, and a fire were to break out at the BESS then regulations under the under The Environmental Damage (Prevention and Remediation) Regs 2015 would come into play, and these are dealt with via the Environment Agency.

Decommissioning and liability

- 10.12.39 Ownership is not a planning matter; however, officers are aware that the applicant would be leasing the land from the private landowner. Under the terms of the lease the developer will be legally obliged to provide a Bond/Insurance to ensure the land is remediated and returned to its agricultural use at the end of the term, this is standard within the energy industry. The Developer is responsible for any contamination as a result of the battery storage units or any other works on site. As further protection the Developer has an obligation to put in place bank or insurance backed security for the benefit of the landlord to cover decommissioning costs as assessed by an independent expert including the costs of dealing with any potential hazardous.

Financial and Other Mitigation

- 12 Due to the nature of use (BESS), the Havering Council's Community Infrastructure Levy is not applicable.

Equalities

- 13 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 13.1. It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence. The recommendation for approval is considered a proportionate response to the submitted request based on the considerations set out in this Report.

14 Conclusions

- 14.1 The proposed development is for the installation of a Battery Energy Storage System (BESS) with a capacity of c.200MW. The development would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity.
- 14.2 The proposed development would introduce an uncharacteristic industrial form of development on the site which currently forms part of the open undeveloped agricultural rural landscape. However, the impact of the proposal from a landscape and visual perspective will be localised and mitigated through a soft landscape design scheme. The proposed reason for the site selection relatively close to National Grid's substation is recognised. The site is not however located within any protected landscape, and identified issues of ecology, landscaping, highways and drainage can be satisfactorily addressed by appropriate conditions.
- 14.3 The development would provide a source of continued power supply for the local area so that in the event of supply interruptions or surges in demand, the local community and businesses would continue to be served when renewable technologies are not producing, or when there is insufficient capacity within the Grid. There would be a positive public benefit in the form of energy security and the ability to store excess energy and thereby a saving of carbon emissions contributing towards government supported goal of a reduction in such emissions.
- 14.4 The landscape and visual impact of the proposed development, results in conflict with the policies of the development plan which seeks to protect and enhance the natural environment. However, the harm, which would be temporary due to reversible nature of the development and the temporary planning permission sought, needs to be weighed against the very significant benefits of the proposal which will deliver improvements to essential infrastructure to secure a sustainable future energy

supply. On balance, it is therefore recommended that planning permission be granted, subject to conditions to mitigate the impacts of the development as best as possible.

- 14.5 The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2024), the policies of The London Plan (2021) and Havering Local Plan 2021, having regards to all relevant material considerations, and any comments received in response to publicity and consultation.