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**2017/0624**

**Applicant:** Enstor Power UK Limited, C/o Kieran Tarpey

**Description:** Formation of a battery energy storage facility with associated transformer cabling security fencing and CCTV Poles.

**Site Address:** Tofts Lane, Snowden Hill, Barnsley, S36 8YR

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The application has been brought before Members as a departure from the Unitary Development Plan and emerging Local Plan.

### **Description**

The site is an open grassed area located within the boundaries of the existing sub-station. Ground levels rise as the land moves southwards away from Tofts Lane which runs east west along the northern boundary of the site.

The existing substation is located to the east of the site with access roughly in the middle and the proposed site located to the west. The site is contained within a low dry stone wall and there is high safety fencing around the substation itself. A number of high voltage lines converge at the site.

The wider area is rural greenbelt, largely used for pasture.

### **Proposed Development**

It is proposed to install and operate a battery storage facility.

The facility will consist of an array of 26 units housing batteries, transformers, a Power Conversion System (PCS), District Network Operator (DNO) electricity connection cabinet and ancillary equipment. Each of the 26 units measure 12.2m in length by 2.6m in width and are 2.9m in height. The units will be sited on a series of raised concrete supports which are 0.2m in height giving the units an overall height of 3.1m

The facility is contained within a 2.5m high perimeter palisade fence and it is proposed to erect 16 CCTV cameras on 2.6m high poles.

There is a requirement for a transformer enclosure on the site which will contain a step-up transformer to raise the output voltage of stored electricity, making it capable of being introduced safely to the sub-station. The transformer would be operated by the DNO once commissioned.

Permanent access for the site for maintenance and operation purposes is proposed from the existing field access off Tofts Lane. Maintenance would be made by light van or 4x4 type vehicles carry necessary tools with a frequency of 10-20 visits a year which is once or twice a month. A temporary construction access will be via the existing substation access further along Tofts Lane.

## **Planning History**

2016/0296 – Erection of enclosed battery storage at Land west of Hopewell Street, Stairfoot, Barnsley (Approved)

2017/0117 – Erection of Battery Storage Facility at Land West of Hopewell Street, Stairfoot, Barnsley (amended location) (Approved)

2017/0801 – Erection of detached building to house battery electricity storage units and provision of ancillary infrastructure, Land at Barnsley Retail Park, Barnsley, S71 1JE (Undetermined)

2017/0957 – Erection of building to house battery storage facility, Land North of Twibell Street, Barnsley, S71 1JE (Undetermined)

## **Policy Context**

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The development plan consists of the Core Strategy and the saved Unitary Development Plan policies. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The Council has submitted our emerging Local Plan to the Secretary of State but we are at an early stage in the examination process. It establishes policies and proposals for the development and use of land up to the year 2033. The document is a material consideration and represents a further stage forward in the progression towards adoption of the Local Plan. As such increasing weight can be given to the policies contained within the document although, in accordance with paragraph 216 of the NPPF, the extent of this will depend on:

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

### Saved UDP Policies

UDP notation: Green Belt

Saved Policy GS6 Extent of the Green Belt

### Core Strategy

CSP 34 'Protection of Green Belt' In order to protect the countryside and open lane around built up areas the extent of the Green Belt will be safeguarded and remain unchanged.

CSP 1 'Climate Change' Development will be expected to reduce a mitigate the impact of growth on the environment and carbon emissions, ensure existing and new communities are resilient to climate change and harness the opportunities that growth, and its associated energy demands, brings to increase the efficient use of resources through sustainable construction and the use of renewable energy.

CSP 4 'Flood Risk' the extent and impact of flooding will be reduced.

CSP 6 'Development that Produces Renewable Energy' we will allow development that produces renewable energy as long as there is no significantly harmful effect on (amongst other criteria): the character of the landscape and appearance of the area, biodiversity, geodiversity and water quality and highway safety.

CSP26 'New Development and Highway Improvement' if development is not suitably served by the existing highway, or would create or add to highway safety problems or the efficiency of the highway for all road users, we will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead.

CSP29 'Design' sets out that high quality design shall be expected.

CSP 36 'Biodiversity and Geodiversity' development is expected to conserve and enhance the biodiversity and geological features of the borough.

CSP 37 'Landscape Character' development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character Area in which it is located (F2: Penistone Upland Farmland).

#### Publication Draft Local Plan

The site is located within the Green Belt as shown on the emerging Local Plan Proposals Map, therefore policy GB1, Protection of the Green Belt applies, protecting the Green Belt from inappropriate development in accordance with National Planning Policy.

In addition the following policies apply:

Policy SD1, Presumption in favour of Sustainable Development;  
GD1, General Development;  
T4, New Development and Highway Improvement  
D1, Design  
BI01, Biodiversity and Geodiversity  
LC1, Landscaper Character  
CC1, Climate change and Sustainable Construction  
CC3, Flood Risk  
RE1, Low Carbon and Renewable Energy

#### NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Para 7 – 3 dimensions to sustainable development  
Para 14 – Presumption in favour of sustainable development  
Para 17 – Core Planning Principles, in particular:

*“take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it” and*

*“support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”.*

Section 9 – Protecting Green Belt Land:

Para 79 -*“The Government 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 87 – *“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 88 – *“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, is clearly outweighed by other considerations”.*

Para 91 –*“When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”.*

Para 98 – *“when determining applications, local planning authorities should: not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable”.*

#### Other material considerations

*The Green Paper – Building Our Industrial Strategy 2017*

The green paper sets out how the Government proposes to build a modern industrial strategy. It was released January 2017 but is only in the early stages of consultation. Nevertheless it provides an indication of the Government's direction of travel.

There are 10 pillars for the strategy of which pillar No.3 – Upgrading Infrastructure and No.7 Delivering affordable energy and clean growth are particularly relevant.

There is a drive to reducing energy costs for businesses alongside meeting the decarbonisation goals. The Smart Meter Programme is identified as key to addressing the challenges for the network created by the switch to low carbon energy. Further steps to take advantage of the opportunities for a more responsive network are also being investigated.

*A Smart, Flexible Energy System – A call for evidence 2016 (Ofgem and the Department for Business, Energy and Industrial Strategy)*

This paper is referenced in the Green Paper and commits to a programme of research and innovation in energy storage and other smart technologies which aligns with the work underway on designing a smart grid and the roll-out of public charging points for electric vehicles, and smart meters at homes and commercial premises.

The issue of enabling energy storage as a potential source of flexibility for the energy system is covered in some detail in this paper. Falling costs of batteries has made this technology more viable on a larger scale and there is an acknowledged need to remove barriers to bringing projects forward. Key barriers are identified as:

- network connections;
- network charging;
- final consumption levies;
- planning; and
- regulatory clarity

The paper acknowledges that small storage projects <50MW must seek planning permission under the Town and Country Planning Act and that clarity is needed in the Planning framework about how to classify and treat storage projects, given the emerging nature of the market and new technologies.

The paper also confirms that there is a desire to see competitive markets for flexibility, including storage where possible stating:

*“any asset owned or operated by a regulated monopoly has the potential to distort competition or deter entry to new markets. To some extent, this issue is addressed through current rules requiring network operators to operate by a regulated monopoly has the potential to distort competition or deter entry to new markets”.*

## **Consultations**

Parish Council – *“The members of the Hunshelf Parish Council appreciate the need for such a storage facility in the light of the increase in electricity generation from wind power or solar arrays.*

*They agree that the site is one that has advantages for the developer but despite the nearness of the power substation itself; it is in a very rural, quiet and attractive area to visit.*

*With the latter in mind, the parish council requests that the developer pay more attention to “hiding” the installation. The metal housing units will be intrusive in the landscape and the security lighting poles will be highly visible. The intrusion of another security fence is a further erosion of the visual amenity of the area.*

*It is noted that the developer intends to plant “semi-mature” trees to hide the new development. The parish council asks that special consideration is given to the species of trees to be used. Evergreens, (native ones) will give cover all year through, but can be “alien” in this area which is very much broad leaf woodland. It is suggested that a mixture of hedgerow trees would be most appropriate. Hawthorn, Blackthorn etc, will grow to substantial trees if allowed to grow freely.*

*Whilst realising that flooding is a real risk to such installations, my members have asked, if permission is granted for this development, that the units should be sunk into the ground to*

*lower the visual impact. They understand that there would have to be adequate drainage of the site”.*

Highways DC – No objections subject to conditions

Ecology – Raised some concerns regarding the ecology report and in particular the proposed mitigation / enhancement measures. A condition has been added.

Drainage – No objections

Pollution – No objections

Planning Policy – Difficulty in accepting that the development is temporary given it is for a period of 25 years. However, it is reasonable to conclude that the battery storage at Hunshelf is ‘complimenting renewable energy technologies’ because one of the reasons that there are peaks and troughs is because of the wind farms (and solar farms) in the area. As such para 91 of the NPPF applies as the proposal will aid the efficiency of the production of energy from renewable sources. CSP6 can only be afforded limited weight because it specifically relates to development that produces renewable energy.

## **Representations**

There are no immediate neighbours however the application was advertised through site notices (placed on footpath signage) and a press advert. No comments have been received.

## **Assessment**

### Material Consideration

Principle of Development

Visual Amenity

Highway Safety

### Principle of Development

The proposed is inappropriate development within the Green Belt. Green Belt policy states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

The harm to the Green Belt, from the proposed development, is caused by the visual impact of the battery storage units and associated infrastructure on the landscape and from the increased highway movements associated with the proposed. The NPPF defines the essential characteristic of the green belt as “their openness and their permanence”. The proposed will have a harmful impact on this characteristic.

The harm to the green belt is in part mitigated by the location of the proposed development, within the confines of the existing substation, which is an existing urban structure with clearly defined boundaries. The topography is such that the site is not highly visible over medium to long distance views, as demonstrated in the landscape and visual analysis accompanying the application. The site is highly visible in the immediate vicinity as viewed from Tofts Lane, Mucky Lane and the Public Rights of Way to the north and North West, all of which offer opportunities for outdoor recreation. Nevertheless the proposed battery storage, within the context of the existing substation, represents an intensification of the existing urban form rather than a standalone feature. In this respect the harm to the Green Belt is reduced.

The impact is further lessened by the lowering of the height of the units and through the planting of screening around the proposed. This will soften the appearance as well as providing some benefits to biodiversity through the enhancement of habitat.

Notwithstanding this, substantial weight must be given to the harm to the green belt when assessing the very special circumstances which will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicants have set out their case for the very special circumstances required to justify the development in paragraphs 3.31 – 3.35 of their Greenbelt Statement. In summary the batteries are required to provide storage of electricity, increasing the flexibility of the Grid to respond to fluctuations in energy demand. This increased flexibility is required to support the Government's target of reducing carbon emissions which will be achieved through the decommissioning of carbon intensive plants and delivery of low carbon generation i.e. wind and solar; low carbon generation being inherently inflexible in relation to when they generate electricity.

Paragraph 91 of the NPPF states that *"elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources"*.

Paragraph 98 requires Local planning authorities to recognise that even small scale projects (for energy development provide a valuable contribution to cutting greenhouse gas emissions and approve the application if its impacts are (or can be made) acceptable, unless material considerations indicate otherwise.

Core Strategy Policy CSP 1 and to a lesser extent CSP 6 are also relevant, setting out the Council's aspirations with regards climate change and renewable energy.

Whilst the proposed is not for energy generation, it is accepted that it will support these aspirations through storing energy for release when it is needed, providing increased flexibility to the network and supporting the transition to low carbon and renewable energy.

Having established that there is a clear benefit to the proposed and that this can be considered to form part of the very special circumstances, the next step has been to assess alternative locations for the proposed development. The applicant has provided substantial information regarding the location of the proposed and an assessment of alternatives. They have applied a 3 stage process starting with developing appropriate site selection criteria:

Stage 1 – Site Selection Criteria, point of connection which:

- Is the right connection voltage;
- Sufficient reserve power flow capacity or demand nearby to accommodate the battery discharging;
- Sufficient voltage 'headroom' to accommodate a battery discharge at sufficient speed to match the frequency response chosen; and
- Sufficient import capacity to recharge the battery.

Stage 2, was a sifting exercise of all the potential points of connection in the District Network Operators area utilising this criteria.

Stage 3 was a second sifting exercise, this time applying the following secondary criteria:

- Capacity of grid connection;
- Size of site;

- Land availability by willing land owner;
- Unsuitable topography;
- Non-greenbelt land;
- Best and most versatile land;
- In sensitive areas as defined by the EIA regulations;
- Poor highway infrastructure;
- Distance to sub-station;
- Flood zones;
- Sensitive human receptors;
- Landscape and visual considerations;
- Heritage considerations.

This sifting process reduced the available sites down from 697 to 5 which were technically feasible for the proposed 40mw. These include the proposed with the remaining 4 located in less sensitive areas but all unavailable for the proposed development due to space constraints or because of land ownership issues.

The proposed being within the ownership of the DNO, having sufficient space for the proposed and the technical capacity is therefore the only suitable site for the battery storage.

It is therefore accepted that, weighing all the above in the balance, there are very special circumstances for the proposed development which outweigh the harm to the green belt.

#### Visual Amenity

The proposed batteries are housed within 26 storage units measuring 12.2m in length by 2.6m in width and 2.9m in height. The units will be sited on a series of raised concrete supports which are 0.2m in height giving the units an overall height of 3.1m. The facility is contained within a 2.5m high perimeter palisade fence and it is proposed to erect 16 CCTV cameras on 2.6m high poles.

Given the rural nature of the landscape, the proposed will impact on visual amenity being an urban form of development. Its location within the confines of the existing substation reduces the impact by virtue of it being contained within an existing urban form which undoubtedly has a more significant impact on the environment.

The visual impact is further mitigated by the provision of a substantial planting buffer around the site, which the applicant has agreed to change to Hawthorn and Blackthorn following consultation with the Parish Council. This type of hedgerow is not wholly characteristic of the area with field boundaries mostly demarked by stonewalls, however, it will soften the appearance and the species will not be out of place in this rural landscape. This approach is also in keeping with the recommendations of the Landscape Character Assessment for this area and will bring biodiversity improvements.

The proposed is therefore acceptable in terms of visual amenity.

#### Highway Safety

The proposed will not generate significant traffic once operational and a highway condition survey and construction methodology has been conditioned to ensure construction traffic and any damage caused to the highway is mitigated. Highway Officers have assessed the application and raised no objections.

## Recommendation

**Grant** subject to conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
**Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.**
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Site Layout Plan V1.3, Container Plan dated 21.06.17, Standard Security Camera Plan dated 02.05.17 and Standard 2.5m Security Fence dated 02.05.17) and specifications as approved unless required by any other conditions in this permission.  
**Reason: In the interests of the visual amenities of the locality and in accordance with LDF Core Strategy Policy CSP 29, Design.**
- 3 No development shall take place until full details of the proposed colour of the containers, security fencing and security camera and mounting poles have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 29, Design.**
- 4 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.  
**Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement.**
- 5 Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be agreed in writing by the Local Planning Authority.  
**Reason: In the interests of highway safety and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**

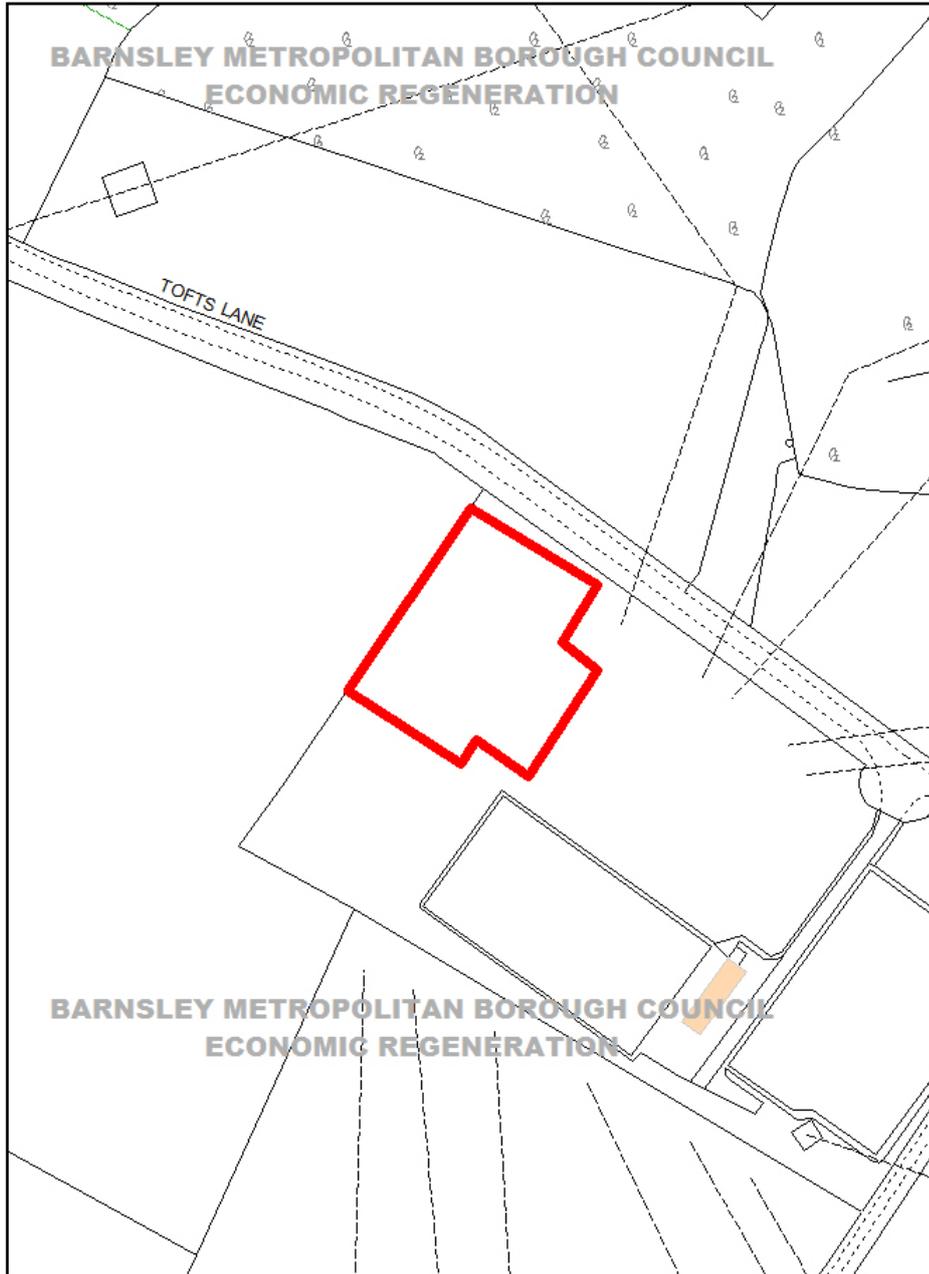
- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors
  - Means of access for construction traffic
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Wheel washing facilities
  - Measures to control the emission of dust and dirt during construction
  - Measures to control noise levels during construction
- Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Core Strategy Policy CSP 26, New Development and Highway Improvement, and CSP 29, Design.**
- 7 Notwithstanding the Ecology Report and Layout Plan, prior to commencement of development full details of measures to mitigate and enhance biodiversity on the site, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- Reason: To conserve and enhance biodiversity in accordance with Core Strategy Policy CSP 36.**
- 8 All planting, seeding or turfing comprised in the approved landscaping scheme as shown on Layout Plan V1.3 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.
- Reason: In the interests of the visual amenities of the locality and in accordance with Core Strategy Policy CSP 36, Biodiversity and Geodiversity.**
- 9 The batteries and associated infrastructure hereby approved shall be removed from the site and the land restored to agricultural use on the expiration of 25 years from the date the batteries are first brought into use.
- Reason: To minimise visual impact and to protect the openness of the Green Belt in accordance with Core Strategy Policy CSP34.**

PA reference :-

2017/0624

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