

## 1 APPLICATION DETAILS

Ref:	24/01184/PRE
Location:	Land Accessed From Vulcan Way, BR2 6AR
Ward:	New Addington South
Description:	Proposed development of a Battery Energy Storage System (BESS) with associated equipment, CCTV and access arrangement.
Applicant:	Penso Power Ltd
Agent:	Ben Lewis at Renplan Ltd
Case Officer:	Jeni Cowan

## 2 PROCEDURAL NOTE

- 2.1 This proposed development is being reported to Planning Committee to enable Members to view it at pre-application stage and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional, and subject to full consideration of any subsequent applications, including any comments received as a result of consultation, publicity and notification.
- 2.2 It should be noted that this report represents a snapshot in time, with negotiations and dialogue on-going. The plans and information provided to date are indicative only and as such the depth of analysis provided corresponds with the scope of information that has been made available to Council officers. Other issues may arise as more detail is provided and the depth of analysis expanded upon.
- 2.3 The report covers the following points:
- Executive summary;
  - Site briefing;
  - Relevant policies and guidance;
  - Matters for consideration; and
  - Procedural matters

## 3 EXECUTIVE SUMMARY

- 3.1 The proposed development is for a Battery Energy Storage System (BESS) within the London Borough of Bromley (LB Bromley). The vehicular access for the site is proposed within the London Borough of Croydon (LB Croydon), via Vulcan Way.
- 3.2 As the site is mainly within LB Bromley, a collaborative approach to the development will be required. However, due to the site's location, ultimately, Officers must focus their assessment on the development actually occurring within the borough, while having regard to the development as a whole.
- 3.3 LB Croydon Officers cannot assess the scheme within LB Bromley against the Croydon Local Plan (2018) as that is not the Development Plan in place (noting the London Plan 2021 is the same for both); it is for LB Bromley to assess the part of the

site in their jurisdiction against their local policies. The applicant team have also engaged with LB Bromley through their pre-applications service, which will facilitate a joined-up approach to this site. A copy of their letter is attached as Appendix 1.

- 3.4 Pre-application discussions with LB Croydon have focused on the principle of the development, with an overview assessment of the details provided at this stage – these are mainly the land use principle, trees, ecology, and transport.
- 3.5 At this stage, the applicant team are seeking to provide more information on BESSs generally and discuss the justification for the site being chosen. There is no specific area for Members to focus on, but rather this is an opportunity to raise any initial questions and concerns, so the applicant team can seek to address these in advance of future planning submissions to both LB Croydon and LB Bromley.

## **4 SITE BRIEFING**

### **Site and Surroundings**

- 4.1 The application site is located to the east of Vulcan Way in Croydon, with the majority of the site extending into Bromley, where it would be west of Layhams Road and north of Warbank Social Club. The road access to the site is via Vulcan Way, which is in the LB Croydon, while the majority of the site is within LB Bromley.
- 4.2 In general terms, the application site sits within a large field and measures approximately 2.6ha. The shape of the site is irregular, and spans approximately 207m north/south and 220m west/east. Mickleham Way Electricity Sub Station is situated approximately 750m north of the application site, to which the proposed development would be connected to.
- 4.3 The Public Transport Accessibility Level (PTAL) of the site is 1b (on a scale of 0 – 6b, where 6 is the most accessible). The application site lies within Flood Zone 1 and within Groundwater Source Protection Zone II (Outer Protection Zone) and III (Total Catchment).
- 4.4 The site within LB Bromley is of a very different character to that in LB Croydon. An assessment of the site and surroundings for each side of the borough borders is set out below.
- 4.5 LB Croydon: This application site is located next to the Addington Business Centre (and immediately adjoins the Separated Industrial Location). Surrounding this industrial area is the expansive residential area of New Addington. The area of the application site is within an Archaeological Priority Area. To the north of Vulcan Way is the Rowdown Wood Site of Importance for Nature Conservation (SINC).
- 4.6 LB Bromley: The site within the adjoining borough is designated as Metropolitan Green Belt. The majority of land to the north, east, and south is undeveloped, although there are some pockets of development. The Rushfield Shaw and Baldwin Shaw SINC is to the east, and the Bradmanshill Wood SINC is to the north. There is a public footpath (ref: FP215) which runs east/west to the north of the site, and north/south to the east of the site.

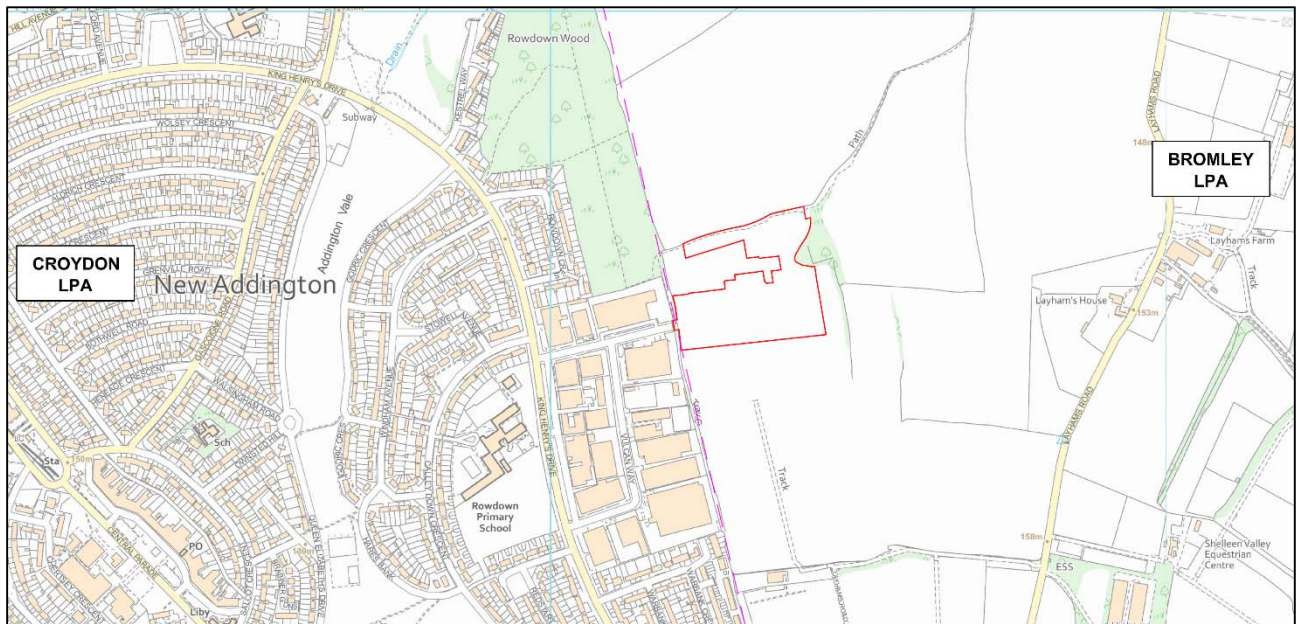


Figure 1: Site Location (LPA Overlay) with site in red and borough boundary dashed purple

### Relevant Planning History in LB Croydon

#### 4.7 24/01187/ENVS - Environmental Impact Screening Opinion - 16.07.2024

Environmental Impact Assessment (EIA) Screening Opinion Request for 'Proposed development of a battery Energy Storage System (BESS) with associated equipment, CCTV and access arrangement.' Determined that EIA not required.

### Relevant Planning History in LB Bromley

#### 4.8 23/03986/EIA – EIA Not Required – 04.12.2023

Site: Land North Of Warbank Social Club, Layhams Road, Keston

Screening Opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 ('EIA Regulations') in respect of proposed development of a battery storage facility on approximately 2 ha of land within the area identified on the enclosed plan.

### Proposal

- 4.9 The pre-application proposes a BESS with a design capacity of approximately 250 megawatts, together with associated infrastructure. This would connect to the Mickleham Way Electricity Sub Station, which is approximately 750m to the north of the site. The intention of the BESS is to allow the National Grid network to operate more efficiently by supplementing the Grid with stored energy in the batteries.
- 4.10 The principal part of the development is formed by the siting of 246no. battery containers across 6no. blocks sited within the southern part of the site. There are 3no. blocks of 14x pairs of battery containers and 14no. power converter containers; 2no. slightly larger blocks of 16x pairs of battery containers and 16no. power converter containers; and 1no. block of 8x pairs of battery containers and 8x power converter containers at the eastern end of the compound.

4.11 In the southern portion of the site, there would be ancillary infrastructure – including a distribution network operator (DNO) substation and control room, a switchgear unit, transformer and spare parts storage container. A perimeter wire mesh security fence up to 2.4m in height is proposed to surround the infrastructure, and there would be 14no. CCTV and lighting columns and an internal maintenance track within the site boundary. It is proposed that the northern part of the site is landscaped.

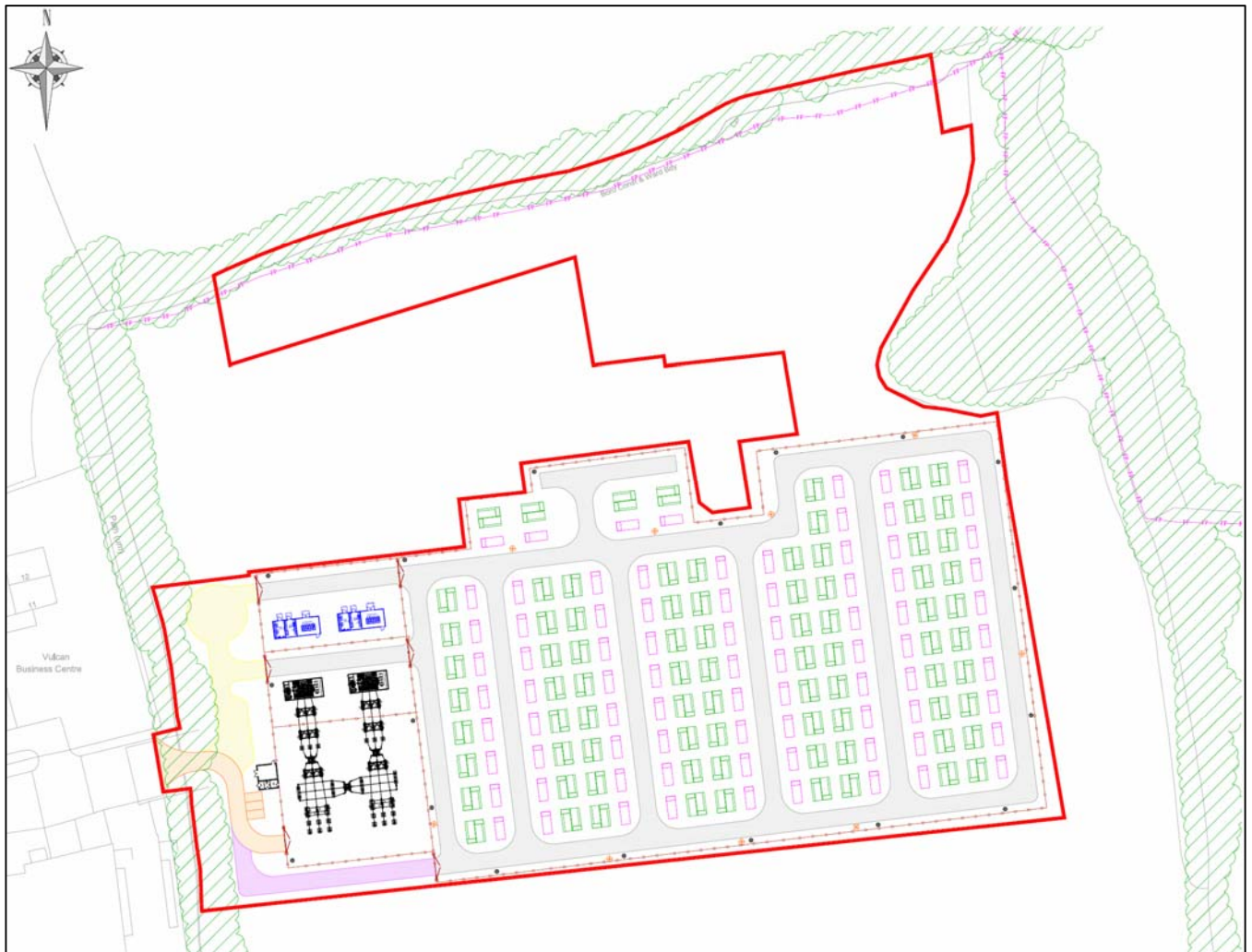


Figure 2: Proposed Site Layout

4.12 It is understood that a site selection process was undertaken within a 2 mile radius of the Mickleham Way Electricity Sub Station, as the proposal is required to be a certain distance from this. Additionally, an important factor for site selection was the access points.

4.13 As part of the pre-application process, the LPA is not required to undertake consultations. However, the applicant team have proactively undertaken public consultations with the local community within LB Croydon and LB Bromley. From the Penso Power website, they sent approximately 2,000 invitations to the closest neighbours to the site in March 2024, and 2,300 invitations in April/May 2024. Exhibitions were held in Keston Parish Church in Bromley and St Edward King and Confessor Church in Croydon. Additionally, it is detailed that Penso Power presented the proposal to groups as part of the consultation process – the presentation is available on their website.

4.14 This presentation is part of the public consultation with the local community.

## 5 RELEVANT PLANNING POLICIES AND GUIDANCE

### Development Plan

- 5.1 The Council's adopted Development Plan consists of the London Plan (2021), the Croydon Local Plan (2018) and the South London Waste Plan (2022). Although not an exhaustive list, the policies which are most relevant to the application are:

#### London Plan (2021)

- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D4 Delivering good design
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- E4 Land for industry, logistics and services to support London's economic function
- E8 Sector growth opportunities and clusters
- HC1 Heritage conservation and growth
- G1 Green Infrastructure
- G2 London's Green Belt
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 7 Reducing waste and supporting the circular economy
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T4 Accessing and mitigating transport impacts
- T6 Car parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the plan and planning obligations
- M1 Monitoring

#### Croydon Local Plan (2018)

- SP4 Urban Design and Local Character
- DM10 Design and Character
- DM13 Refuse and Recycling
- DM16 Promoting Healthy Communities
- DM17 Views and Landmarks
- SP6 Environment and Climate Change

- DM23 Development and Construction
- DM25 Sustainable Drainage Systems and Reducing Flood Risk
- DM26 Metropolitan Green Belt, Metropolitan Open Land
- DM27 Protecting and Enhancing Our Biodiversity
- DM28 Trees
- DM29 Promoting Sustainable Travel and Reducing Congestion
- DM34 Addington

5.2 The Development Plan should be read as a whole, and where policies conflict with each other, the conflict must be resolved in favour of the policy contained in the last document to be adopted, approved or published as part of the development plan, (in accordance with s38(5) of the Planning and Compulsory Purchase Act 2004).

## **Planning Guidance**

### National Planning Policy Framework (NPPF)

5.3 Government Guidance is contained in the NPPF, updated in December 2023, and accompanied by the online Planning Practice Guidance (PPG). The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Promoting sustainable transport
- Achieving well designed places
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding, and coastal change

### SPDs and SPGs

5.4 There are also several Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) documents which are material considerations. Although not an exhaustive list, the most relevant to the application are:

- Control of Dust and Emissions During Construction and Demolition (2014)
- Energy Assessment Guidance (2022)
- Draft Fire Safety LPG (Feb 2022)
- Urban Greening Factor LPG (Feb 2023)
- Green Infrastructure and Open Environments: The All London Green Grid SPG (March 2012)
- Air Quality Positive LPG (Feb 2023)
- Air Quality Neutral LPG (Feb 2023)

## **6 MATTERS FOR CONSIDERATION**

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

- a) Land use principle

- b) Design and impact on character of the area
- c) Impact on neighbouring residential amenity
- d) Access, parking and highway impacts
- e) Trees and biodiversity
- f) Fire safety
- g) Other planning issues

## **Land use principle**

### Introduction of BESS

- 6.2 The BESS works as additional energy storage to supplement the energy output from the National Grid; hence why it needs to be within a certain proximity to the Mickleham substation. When there is intermittence within the energy supply from the substation, the energy stored within the batteries (the BESS) can be used to supplement this and minimise interruptions to the energy supply.
- 6.3 The National Planning Policy Guidance (NPPG) Paragraph: 032 Reference ID: 5-032-20230814 acknowledges that electricity storage, such as battery energy storage systems, 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.
- 6.4 The National Planning Policy Framework (NPPF) (2023) Paragraph 157 sets out that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 6.5 The need for developments such as that proposed within this pre-application are therefore acknowledged in national policy. However, they must still take account of all other relevant national, regional and local policies, which are included as part of the assessment below.

### Land Designations (Croydon) – Separated Industrial Location

- 6.6 CLP Policy DM9 sets out that within the Strategic, Separated and Integrated Industrial Locations, the Council will encourage the redevelopment of low density industrial and warehousing premises with higher density industrial and warehousing premises.
- 6.7 The site itself (at the end of Vulcan Way) is not designated, but it immediately adjoins a Separated Industrial Location (SIL). While high density development is encouraged in a SIL, the area of land within LB Croydon that forms part of this application does not have industrial or warehousing floorspace, therefore, the fact the proposal would not provide this type of floorspace would not be objected to. Officers have regard to the site, and its current function as a dead-end on Vulcan Way, it lends itself to form an extension of the road and to providing a vehicular route.

### Land Designations (Bromley) – Metropolitan Green Belt (MGB)

- 6.8 The site within LB Bromley is designated MGB. While this is acknowledged, this does not form part of the assessment of the proposal within the Croydon borough

boundary, as the land designation does not stretch into LB Croydon. The applicant team will be required to address this aspect with LB Bromley.

### **Design and impact on character of the area**

- 6.9 LP Policy D3 states development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. It should incorporate the highest quality materials and design appropriate to its context.
- 6.10 CLP Policy DM10 requires the siting, layout and form of new development to respect the character and appearance of existing areas. CLP Policy SP1.1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. CLP Policies SP4.1 and SP4.2 of also require development to be of a high quality which respects and enhances local character.
- 6.11 CLP Policy DM34 is concerned with place specific Addington, regarding the District Centre and allocate sites. The proposal site does not fall within this designated areas.
- 6.12 The applicant team have not submitted elevational plans, however, from the information submitted, the principal part of the proposal is the siting of 246 containers (including 82 pairs of battery containers and 82 power converter containers) each individually measuring 2.4m x 6m in footprint and 2.9m in height, sited on plinths of approx. 0.3m in height in height, together with a DNO substation, which includes a Transformer extending to 6.5m in height. It would be an essential part of any future application to submit these elevational details to enable Officers to make a judgement on the appearance of the scheme, especially when viewed from Vulcan Way.
- 6.13 In terms of views, the applicant has submitted a plan (below) to demonstrate the likely locations where the scheme can be viewed from in the surrounding area:



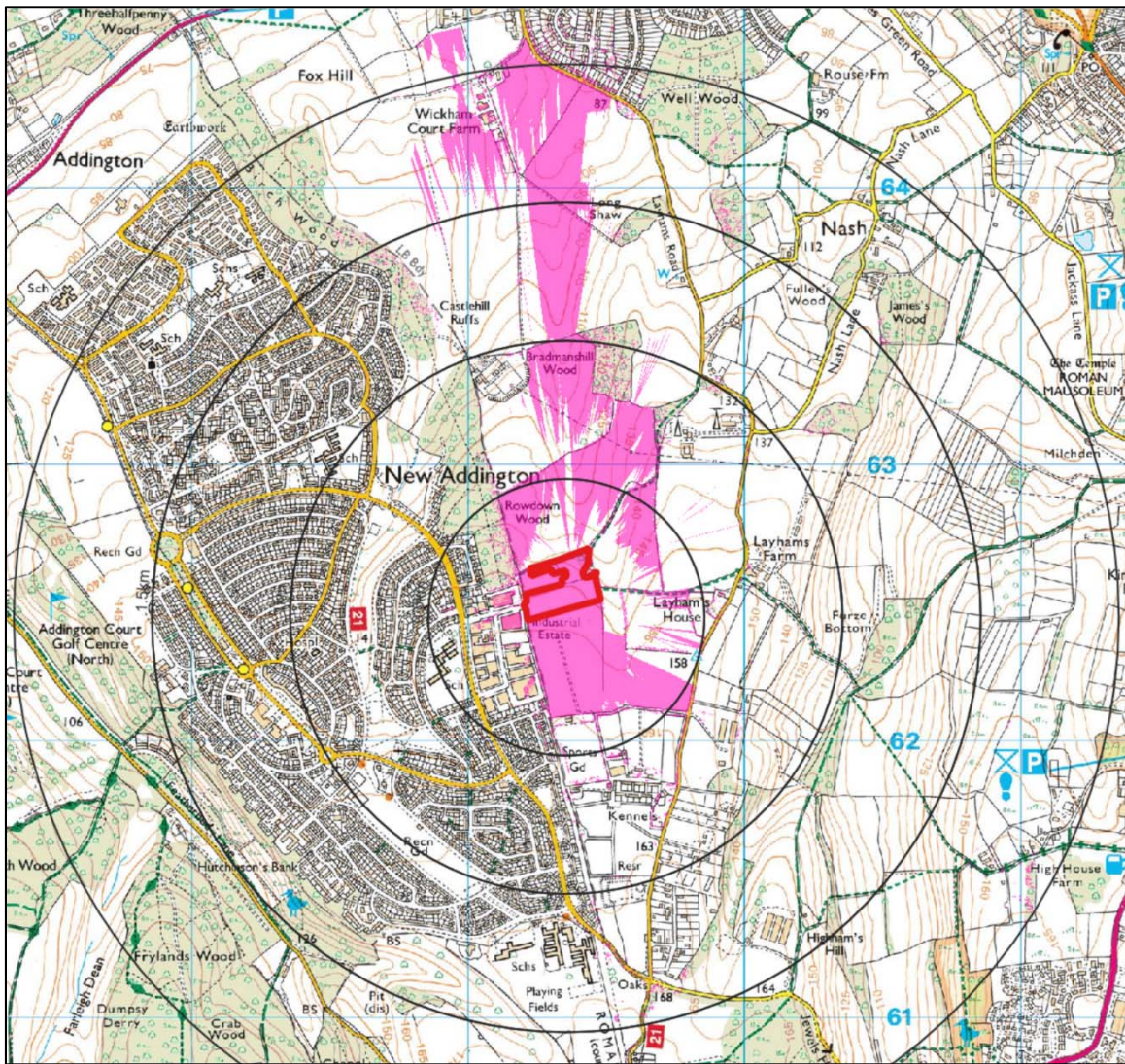


Figure 3: Zone of Theoretical Visibility (ZTV) – the pink is where the scheme can be seen from in the surrounding area, primarily to the LB Bromley boundary

6.14 This plan, while theoretical, is based on the topography of the surrounding area, in combination with surface features (vegetation and buildings) and is a recognised tool. It demonstrates that while it would be quite visible within the LB of Bromley, due to the built up environment within Croydon, particularly within this area of New Addington, the visibility would be much more limited from LB Croydon.

### Impact on neighbouring residential amenity

6.15 CLP Policy DM10.6 states that the Council will ensure proposals protect the amenity of occupiers of adjoining buildings and will not result in direct overlooking into their habitable rooms or private outdoor space and not result in significant loss of existing sunlight or daylight levels.

6.16 Due to the scale and siting of the proposal and resultant separation from more sensitive homes, it is unlikely to have an adverse impact on residential properties in terms of loss of privacy, loss of light/overshadowing, nor having an overbearing impact or creating a sense of enclosure. This would need to be demonstrated at application stage, including any lighting proposed and how it does not cause any adjoining occupier impact.

- 6.17 Officers would consider it important to understand any potential noise emanating from the development; it is recommended that a noise impact assessment should accompany any future applications. This will also require an understanding of vehicular routes to ensure that there is no undue disturbance to neighbouring properties as a result of vehicular movements associated with the use.

### **Access, parking and highway impacts**

- 6.18 LP Policies T4, T5, and T6 (and Table 10.3) set out parking standards for proposed development. CLP Policies SP8.17, DM29 and DM30 provide further guidance with respect to parking within new developments and state that development should not adversely impact upon the safety of the highway network.
- 6.19 Appropriate means of access will be required to be demonstrated within any full planning application, and it should be demonstrated that the proposed BESS would not create a hazard to users of the public highway network, including public rights of way, or pilots of local flight paths. Demonstration of traffic routing and points of access to the public highway network, vehicle type and volume of trips for construction, and also operational vehicle movements after installation for maintenance and / or removal in future will be required.
- 6.20 The access would be formed from the existing dead-end road on Vulcan Way; this would be opened up to form the vehicular route into the application site. This would be acceptable in principle, as the nature of the development would be similar to that of the existing industrial use of the wider area within the LB Croydon boundary. Specification on the extent and scale of works required for this part of the development should be submitted alongside a future application to ensure the route is of an appropriate highway standard.
- 6.21 Based on the information provided by the applicant, the construction phase is anticipated to be approximately 1.5 years (78 weeks) with a total of 450 vehicles (900 movements). This is equivalent to 11.5 movements per week. In a typical day, it is expected that there would be an average of two deliveries (four vehicle movements) per day. It is anticipated that a daily workforce of 20 personnel would be required at any one time; steps will be taken to encourage all employees to car/van share when accessing the site. Therefore, assuming that four operatives would arrive per vehicle meaning the number of vehicle movements associated with the workforce will equate to 10 vehicle movements per day. When this is added to the estimated number of delivery vehicles, the total number of vehicle movements per day will be in the region of 14.
- 6.22 For the operation stage, the site would be remotely monitored, therefore there would not be regular vehicular movements to and from the site. Routine maintenance would be required, but this would be occasional and would involve small vans. This equates to approximately 100 visits per year (200 trips). Details on where vehicular access throughout the site and car parking should be set out in a future application, to ensure this is of an appropriate standard.
- 6.23 Transport Issues associated with the construction and operational phases of the development, such as the overall traffic generation, servicing, noise and air quality pollution would be fully assessed through the submission of technical reports (including a Transport Statement and full CEMP) submitted at the application stage (and conditioned as necessary).

## Trees and biodiversity

### Trees

- 6.24 LP Policy G7 sets out that development proposals should ensure that, wherever possible, existing trees of value are retained, and that where it is necessary to remove trees adequate replacements should be provided. CLP Policies DM10 and DM28 seek to retain existing trees and do not permit developments that result in the avoidable loss of preserved or retained trees where they make a contribution to the character of the area.
- 6.25 There are no relevant restrictive designations within the Croydon boundary of the site. The pre-application is accompanied by a tree survey (shown below) and an Arboricultural Impact Assessment (AIA).



Figure 4: Tree Protection Plan (blue line added by Officers as an approximation of the borough boundary)

- 6.26 The AIA sets out that a total of 50no. trees and 3no. tree groups were surveyed. From this selection, 5no. trees, 1no. group, and part of another group have been identified for removal to facilitate the development. None of these trees proposed for removal are category A, 1no. is category B, and 6no. are category C. Based on the arboricultural impact assessment, the trees proposed for removal are considered to be of relatively low value and relatively easily replaced. From the information submitted, the trees identified for removal are not within LB Croydon. Although tree T47 is close to the boundary, it is situated within LB Bromley.
- 6.27 The remaining 43no. trees and groups would be retained entirely and integrated into the development, with protection measures proposed to ensure the retained trees would not be damaged during the construction phases. There is 1no. group that will

be subject to construction within their root protection areas; special measures are recommended to ensure these trees are not damaged. Additionally, 1no. group would require remedial tree work to facilitate development. Of the 2no. trees groups identified, one of these (G1; category B) extends into LB Croydon; the extent of removal is not known; however, the AIA sets out that minor pruning will be required to this group to ensure canopy edges are clear of the access road. The other tree group (G48) would be completely removed; this is situated entirely within LB Bromley.

6.28 The Trees and Woodlands team were consulted during the application, as the land within the red line in the LB Croydon boundary falls under the management of this team. Additionally, the Trees team were consulted on the proposal. Ultimately, the proposal would not be objected to, subject to a CAVAT value agreed for any tree loss in LB Croydon, so that a contribution can be made to plant new trees in the area, which would come under a legal agreement to be secured alongside a planning application.

#### Ecology and Biodiversity

6.29 CLP Policy SP7.4 sets out that the Council and its partners will enhance biodiversity across the borough, assist ecological restoration, and address spatial deficiencies in access to nature by:

- a) Protecting and enhancing sites of importance for biological and geological diversity;
- b) Improving the quality of current sites through habitat management;
- c) Exploring options to increase the size of wildlife areas of existing sites and creating new areas for wildlife;
- d) Enhancing connections between, or joining up sites, either through direct physical corridors, or through a series of linked sites;
- e) Reducing the pressures on wildlife and sensitive sites by improving the wider environment around wildlife sites by establishing buffer areas; and
- f) Promoting the naturalisation of landscapes and the enhancement of Croydon's natural landscape signatures.

6.30 The pre-application is accompanied by a Preliminary Ecology Appraisal (authored by Western Ecology; dated August 2024). This has been reviewed by the Council's ecology consultants. The site is situated within the impact risk zone for statutory designated sites; however, the proposals do not trigger consultation with Natural England.

6.31 There are two non-statutory designated sites adjacent to the site: Rushfield Shaw and Baldwin Shaw site of nature conservation importance (SINC) which is to the east and within LB Bromley, and Rowdown and Birch Wood SINC which is situated to the north of the site in LB Croydon.

6.32 The Rowdown and Birch Wood SINC is ancient deciduous woodland (irreplaceable habitat). A minimum buffer of 15m should be afforded to the woodland in line with Government Standing Advice. The application boundary within LB Croydon is 72m from the south of this SINC, therefore, it is more than the required 15m buffer. However, in the interests of providing holistic advice for the perimeter of the site, it is advised that any impacts within 15m of the woodland edge would not be appropriate, due to the risk of harm to this irreplaceable habitat.

- 6.33 The hedgerows on site are likely considered Priority habitat. No loss is predicted to these; however, the CEMP and AIA should set out how they will be protected during construction. Ideally, these should be enhanced post-development. If any losses are planned (i.e. for site access), mitigation and compensation should be considered, particularly where there is a link with the ancient woodland if this ecological corridor will be severed. There are no uncultivated field margins on site.
- 6.34 In addition to the above advice, our advisors requested further information in relation to European Protected Species (greater crested newts, bats, and hazel dormice), UK Protected Species (badgers, reptiles, birds), and Priority Species (hedgehogs, brown hare, and harvest mice) and non-native invasive species. This should form part of the submission.
- 6.35 A construction and environmental management plan (CEMP) would be recommended to ensure adequate measures are in place to avoid adverse impacts to the SINCs.
- 6.36 *Biodiversity Net Gain (BNG)*: BNG is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. A Biodiversity Net Gain report should be provided to demonstrate a biodiversity net gain for habitats of at least 10%. This should be informed by the best available ecological information and addressed from the start of the development process. Given the location of the site, it would be expected that the 10% requirement for BNG would be exceeded. The BNG Planning Practice Guidance (PPG) sets out how biodiversity net gains should be applied through the planning process. It is noted that the northern section of the site could be used for BNG, as this does not appear to form part of the BESS use, but it is within the with red boundary line.
- 6.37 It is noted that necessary cabling has not been identified at this stage; these matters will need to be picked up with the future planning application so they can be fully assessed.

### **Fire safety**

- 6.38 LP policy D12 sets out that all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a fire statements which is an independent strategy, produced by a third party, suitably qualified assessor.
- 6.39 The Covering Letter sets out that fires at BESS locations are very rare and there has only been one such event in the United Kingdom (prior to the introduction of the current safety Regulations). Nevertheless, it is always going to be important to minimise any such risk of an event through careful design practices. In the very unlikely event of a fire, it would be important to ensure the facility has an Emergency Response Plan to ensure immediate action for containment of a fire. This will be needed with any future planning application.

### **Other Planning Issues**

- 6.40 The applicant is aware of the other factors required to be addressed; these are set out in the Covering Letters and include the following points:
- Detailed drawings;

- Planning, Design and Access Statement;
- Green Belt Statement;
- Site Selection Justification Statement;
- Agricultural Land Classification Assessment;
- Noise Impact Assessment;
- Heritage Impact Assessment;
- Preliminary Ecological Assessment, as well as biodiversity net gain proposals;
- Landscape and Visual Impact Assessment;
- Transport Statement / Construction Logistics and Environmental Management Plan (CLEMP);
- Air Quality Assessment;
- Fire Statement and Fire Emergency Response Plan;
- Circular Economy Statement;
- Whole Life-Cycle Carbon Assessment;
- Energy Statement / Strategy;
- Flood Risk and Surface-Water Drainage Statement; and
- Arboricultural Survey.

6.41 Officers advise that these need to be fully addressed as part of any future submission.

## **7 PROCEDURAL MATTERS**

- 7.1 Where a site which is the subject of a planning application straddles one or more local planning authority boundaries, the applicant must submit identical applications to each local planning authority. The planning fee is payable solely to the authority of wherever area contains the larger or largest part of the whole application site.
- 7.2 LB Croydon and LB Bromley Officers will need to work together closely when a planning application is submitted.

## Appendix A: LB Bromley Pre-Application Report



Housing, Planning & Regeneration  
Civic Centre, Stockwell Close, Bromley, BR1 3UH

Direct Line: 020 8313 4531  
Email: Catherine.Lockton2@bromley.gov.uk  
Our ref: PREAPP/23/00201

Penso Power Limited  
C/O Ben Lewis Renplan Ltd

BY EMAIL

2<sup>nd</sup> January 2024

Dear Mr Lewis,

**PREAPP/23/00201 - Land North Of Warbank Social Club Layhams Road Keston**

**Proposal: Proposed development of a Battery Energy Storage System (BESS), together with associated infrastructure and access arrangements**

I refer to your pre-application submissions and our meeting of 6<sup>th</sup> December 2023.

The meeting was attended by the following LB of Bromley officers:

- Cat Lockton, Principal Planning Officer; and
- Joanna Wu, Principal Planning Officer.

The submitted plans and documents for consideration are as follows:

- Pre-Application Form
- Covering Letter dated 04 October 2023
- PSP001-SP-01/REV 01 Mickleham Site Location Plan
- PSP001-PL-01/REV 01 Mickleham Existing Site Plan
- PSP001-PL-02/REV 01 Mickleham Proposed Site Layout Plan
- PSP001-SD-01/REV 01 Standard Drawing: Customer Substation (Plan)
- PSP001-SD-02/REV 01 Standard Drawing: Customer Substation (Section)
- PSP001-SD-03/REV 01 Standard Drawing: Customer Switchgear
- PSP001-SD-04/REV 01 Standard Drawing: 40Ft Spare Parts Container
- PSP001-SD-05/REV 01 Standard Drawing: Battery Unit
- PSP001-SD-06/REV 01 Standard Drawing: Power Conversion System
- PSP001-SD-07/REV 01 Standard Drawing: 2.4m Welded V-Mesh Security Fence and Gate
- PSP001-SD-08/REV 01 Standard Drawing: CCTV Camera and Post
- PSP001-SD-09/REV 01 Standard Drawing: Access Track
- PSP001-SD-10/REV 01 Standard Drawing: AUX Transformer
- PSP001-SD-10/REV 01 Standard Drawing: DNO Control Room

- Pre-App Meeting presentation (December 2023)

### Location

The application site consists of an arable field and measures approximately 2.1ha. It is located to the West of Layhams Road, Keston and to the North of Warbank Social Club, and sits within a larger field. It is broadly rectangular and measures approximately 90m north/south and 240m west/east. The application site also includes an L-shaped access route linking providing access to the main site from a track via Layhams Road. This track to the south of the site also provides access for Warbank Social Club, and the industrial units and residential dwellings at Holmshaw Farm.

Approximately 750m North of the application site lies the Mickleham Way Electricity Sub Station.

To the West of the site lies the borough boundary with the London Borough of Croydon (LB Croydon). Addington Business Centre (Separated Industrial Location) and the residential area of New Addington are located to the west of this borough boundary within LB Croydon. This area to the West within LB Croydon is designated as an Archaeological Priority Area.

The site falls within land designated as Green Belt, land to the North, East and South of the site is also designated as Green Belt. Much of the land to the North, East and South is undeveloped although there are some pockets of development with Layhams House (Grade II listed), Layhams Farm and Shelleen Valley Equestrian to the East; Highams Hill Farm, Holmshaw Farm and Highams Court Kennels to the South; and the Metropolitan Police Dog Training Centre to the North.

A number of Sites of Importance for Nature Conservation (SINC) are located close to the application site. Immediately to the East of the site lies the Rushfield Shaw and Baldwin Shaw SINC, to the North lies the Bradmanshill Wood SINC, and to the West of the site (within LB Croydon) lies the Rowdown Wood SINC.

The Saltbox Hill Site of Special Scientific Interest (SSSI) is located 1.9km to the South-East of the site.

A public footpath (ref: FP215) runs east/west to the North of the site and north/south to the East of the site.

According to Transport for London's (TfL) Planning Information Database the site has a PTAL rating of 1b (on a scale of 0 – 6b, where 6 is the most accessible).

The application site lies within Flood Zone 1 and within Groundwater Source Protection Zone II (Outer Protection Zone) and III (Total Catchment).

### Proposal

The pre-application proposes a Battery Energy Storage System (BESS) with a design capacity of approximately 250MW together with associated infrastructure which would connect to the Mickleham National Grid Substation to the North of the site.



The principal part of the development is formed by the siting of 48x battery containers configured in pairs and arranged across four blocks sited within the western part of the site. Each block contains 12x battery units and 6x power converters.

Ancillary infrastructure would be located within the eastern portion of the site and includes a DNO Substation and Control Room, a switchgear unit, transformer and spare parts storage container.

A perimeter wire mesh security fence up to 2.4m in height is proposed to surround the infrastructure, which will also enclose 14 CCTV and lighting columns and an internal maintenance track.

Draft site layout and equipment detail drawings have been provided as part of the pre-application.

### Planning History

There is no recent planning history relating to the site. However, the applicant submitted an EIA screening request to the Council for determination at the same time as this pre-application request.

### Policy Context

Current up-to-date documents and policies relevant to this pre-application include:

National Planning Policy Framework (NPPF) (2023)

National Planning Policy Guidance (NPPG)

London Plan (2021)

- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D4 Delivering good design
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- S5 Sports and recreation facilities
- E4 Land for industry, logistics and services to support London's economic function
- E8 Sector growth opportunities and clusters
- HC1 Heritage conservation and growth
- G1 Green Infrastructure
- G2 London's Green Belt
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands

G8 Food growing  
 SI 1 Improving air quality  
 SI 2 Minimising greenhouse gas emissions  
 SI 3 Energy infrastructure  
 SI 4 Managing heat risk  
 SI 5 Water infrastructure  
 SI 7 Reducing waste and supporting the circular economy  
 SI 12 Flood risk management  
 SI 13 Sustainable drainage  
 T1 Strategic approach to transport  
 T4 Accessing and mitigating transport impacts  
 T6 Car parking  
 T7 Deliveries, servicing and construction  
 DF1 Delivery of the plan and planning obligations  
 M1 Monitoring

The relevant London Plan SPGs/LPGs are:

- Control of Dust and Emissions During Construction and Demolition (2014)
- Energy Assessment Guidance (2022)
- Draft Fire Safety LPG (Feb 2022)
- Urban Greening Factor LPG (Feb 2023)
- Green Infrastructure and Open Environments: The All London Green Grid SPG (March 2012)
- Air Quality Positive LPG (Feb 2023)
- Air Quality Neutral LPG (Feb 2023)

#### Bromley Local Plan (2019)

32 Road Safety  
 34 Highway Infrastructure Provision  
 37 General Design of Development  
 38 Statutory Listed Buildings  
 46 Scheduled Monuments and Archaeology  
 49 The Green Belt  
 57 Outdoor Recreation and Leisure  
 58 Outdoor Sport, Recreation and Play  
 60 Public Rights of Way and Other Recreational Routes  
 62 Agricultural Land  
 69 Development and Nature Conservation Sites  
 70 Wildlife Features  
 72 Protected Species  
 73 Development and Trees  
 74 Conservation and Management of Trees and Woodlands  
 75 Hedgerows and Development  
 77 Landscape Quality and Character  
 79 Biodiversity and Access to Nature  
 109 Airport Public Safety  
 113 Waste Management in New Development  
 115 Reducing Flood Risk

- 116 Sustainable Urban Drainage Systems
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 123 Sustainable Design and Construction
- 124 Carbon Reduction, Decentralised Energy Networks and Renewable Energy
- 125 Delivery and Implementation of the Local Plan

London Borough Bromley Supplementary Planning Documents (SPDs):

- Planning Obligations SPD (June 2022)

### Key Planning Considerations

The main issues to be considered in respect of this proposal are:

- Land use and the effect on the character and appearance of the area
- Heritage
- Neighbouring Amenity
- Transport and Highways
- Green Infrastructure and the Natural Environment
- Other Technical Considerations
- Planning Obligations and CIL
- Statement of Community Involvement

You will appreciate that the depth of the response provided corresponds with the information provided within the pre-application submission.

### **Land use and the effect on the character and appearance of the area**

Paragraph: 032 Reference ID: 5-032-20230814 of the NPPG acknowledges electricity storage, such as battery energy storage systems, 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 157 of the National Planning Policy Framework (NPPF) (2023) states that;

*“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*

The need for developments such as that proposed within this pre-application are therefore acknowledged in national policy. However, they must still take account of all other relevant national, regional and local policies. These are discussed below.

*Green Belt*

The application site lies within land designated as Green Belt. Chapter 13 of the NPPF (2023) deals with 'Protecting Green Belt land'. The NPPF (2023) places great importance on the protection of Green Belt land and states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts being their openness and their permanence.

Paragraph 143 of the NPPF (2023) states that;

*"Green Belt serves five purposes:*

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."*

Paragraph 156 of the NPPF (2023) specifically advises that;

*"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."*

As highlighted by paragraphs 152-153 of the NPPF inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Further, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In line with the NPPF, the proposed battery energy storage system would be inappropriate development within the Green Belt and therefore very special circumstances will need to be demonstrated to overcome the objection to this proposal in principle.

Accordingly, if you wish to proceed to the submission of a formal application, the very special circumstances (VSC) that relate to the proposal should be clearly demonstrated. Paragraph 156 of the NPPF details that the VSC's may include the wider environmental benefits associated with increased production of energy from renewable sources. However, other benefits should be demonstrated.

It is noted that the supporting letter makes reference to biodiversity enhancements, the principle of which is supported. However, these benefits should be over and above the separate policy requirements relating to ecological/biodiversity matters. Other benefits should also be considered. At application stage, the VSC's should be clearly set out and detailed within an accompanying Planning Statement.

It should also be demonstrated that the very special circumstances clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal in accordance with the NPPF. It is therefore necessary to consider the impact of the development on the openness of the Green Belt and potential harm.

Paragraph: 001 Reference ID: 64-001-20190722 of the NPPG advises that "when assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation."

Consideration of the extent of harm on the openness of the Green Belt should be addressed as part of the accompanying Planning Statement. In addition, the effect of the development on the character and appearance of the area would also be a consideration.

Any formal application should be supported by a Landscape and Visual Impact Assessment (LVIA) which should consider both the landscape and visual effects. The viewpoints should be agreed with the Council in advance and should be based on a 'worst case' scenario. It should take account of all aspects of the proposal, including all associated structures. Any proposed design mitigations should also be considered and clearly outlined within any formal submission.

It is also understood that a site selection process was undertaken and that a site closer to the existing Mickleham Way substation, to which the battery storage facility would be connected, was not possible. It would be useful if the site selection process was explained as part of the supporting Planning Statement. Furthermore, the size of the proposed development is substantial and justification should be provided as to why the amount of development is required as part of the consideration with regards to the spatial and visual impacts and resultant harm.

It is also unclear if the proposed cabling required to connect the development to the Mickleham Way substation would be included as part of any formal application. It is recommended that this does form part of the submission as it would be necessary to facilitate the purposes of the development. Full consideration as the impact of the development as a whole would therefore be considered. This includes the impact on the Green Belt, as well as other matters such as the Public Right Of Way to the north and ecological considerations.

As part of the submission, it is also advised that an alternative site/sequential test be submitted which demonstrates that the proposed use cannot be sited on land that is not in the Green Belt and where the use would have a far less harmful effect.

*Agricultural Land*

Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and b) 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.

Footnote 62 indicates that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The Glossary within the NPPF defines the 'Best and most versatile agricultural land' as land in grades 1, 2 and 3a of the Agricultural Land Classification.

Paragraph: 001 Reference ID: 8-001-20190721 Revision date: 21 07 2019 of the NPPG advises that the [Agricultural Land Classification](#) assesses the quality of farmland to enable informed choices to be made about its future use within the planning system. Natural England has published [guidance on development on agricultural land](#).

Policy 62 of the Bromley Local Plan is also relevant and relates specifically to Agricultural Land and advises that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Any formal application should be accompanied by an Agricultural Land Assessment to allow the loss of this agricultural land to be fully assessed. Please note that Natural England will be a statutory consultee as part of any formal application.

#### *Surrey Hills AONB Review*

I would also advise that the site is located within an area identified as part of the Surrey Hills AONB Review area. Whilst that process is on-going, it should be noted, and the relevant management committee would be consulted at application stage. Mapping details are available online; [Surrey Hills AONB Boundary Review Story Map \(arcgis.com\)](#) (Map EA9).

#### **Temporary Permission**

It is understood that any formal application would be for temporary permission for 30 years. The temporary nature of the proposal should be explained as part of any formal application and details of the intended decommissioning of the development.

#### **Heritage Impact**

Paragraph 200 of the NPPF (2023) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraphs 205 – 214 of the NPPF

provide further guidance on assessing the impact of development on both designated and non-designated heritage assets.

Policy HC1 of the London Plan and Policy 38 of the Bromley Local Plan are also relevant.

To the East of the site lies Layhams House, which is a Grade II Listed Building.

The Historic England documents "HEAG180 GPA3 The setting of Heritage Assets" and "HEAG279 Statements of Heritage Significance" should be followed.

The scale, design and siting of the development in respect of nearby heritage assets should be fully considered as part of any formal application, which should be supported by a Heritage Assessment.

### *Archaeology*

The area immediately to the West, within LB Croydon, is designated as an Archaeological Priority Area.

Paragraph 200 of the NPPF (2023) states 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.

It is also understood from our pre-application meeting, that there may be archaeological interest within and directly to the north of the application site (which may potentially be included as part of any forthcoming application), and that you have been engaging with the Greater London Archaeology Advisory Service (GLAAS) which is part of Historic England's London and South East Regional Office. It is recommended that this engagement is continued prior to submission of any future planning application. Notwithstanding this, GLAAS will be consulted as part of any formal planning application.

### **Neighbouring Amenity**

Policy 37 (e) of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

Whilst there are no residential properties immediately adjacent to the application site boundary, there are residential properties to the south, east and west of the site. In particular, there are residential properties which are accessed via the access road from Layhams Road which is also proposed as the access for the proposed development. There are also residential properties to the west, within the LB of Croydon, which look towards the southern section of the field on which the proposed development would be located.

Whilst there is a line of vegetation located along the western and southern boundaries of this field, there are some gaps in this vegetation which could provide oblique views towards the proposed development, particularly from the residential properties to the west.

Any formal application should consider the potential impacts on these neighbouring residents. This should include any potential noise and disturbance impacts (including any disturbance from lighting). Any formal application should be accompanied by a Noise Impact Assessment (NIA).

Careful consideration as to the impact of the proposed development on these neighbouring residents would need to be given during the assessment of any formal application, during which neighbouring residents would also be consulted and their comments taken into account as material considerations.

## **Transport and Highways**

### *Access*

Access to the site needs to be carefully considered, both from a construction and an operational perspective. The site is currently accessed via a road to the south from Layhams Road, which is a narrow lane. This access road also provides access for Warbank Social Club, and the industrial units and residential dwellings at Holmshaw Farm.

The pre-application documents indicate that an additional track would be created north/south from this existing road to the proposed development site.

Any formal application should be accompanied by a Transport Assessment. Part of the assessment will need to consider access both within the site and to and from the site during both the construction and operational phases. It is recommended that the transport consultant liaises with the highways authority as part of its assessment. Nevertheless, LB Bromley Highways will be consulted as part of any formal application. The neighbouring local authority at LB Croydon will also be consulted. If any roads within this adjoining borough would be impacted by the proposed development, including during the construction phase, this should also be addressed within the accompanying Transport Assessment.

The implications of the new access, not only on highways matters, but also on the Green Belt, environment and neighbouring amenity would also need to be carefully considered.

Given the site's location and the nature of the accesses to the site, a Construction Logistics and Environmental Management Plan (CLEMP) should also be provided at planning application stage.

### *Public Rights of Way*

Policy 60 of the Bromley Local Plan relates to 'Public Rights of Way and Other Recreational Routes' and states that planning permission will not be granted for development affecting a Public Right of Way unless the proposals include either the retention or diversion of the Right of Way such that, as a route, it is no less attractive, safe or convenient for public use. Furthermore, where appropriate, additional routes to create links to access land, between open spaces and between established walks, or for improvements to or maintenance of existing walks will be sought through the use of conditions or planning obligations.



There are Public Rights of Way (PROW) to both the north and east of the application site. The PROW to the north is sited between the application site and the existing substation to which the proposal is to be connected.

The PROW should not be diverted or blocked in anyway as part of the development. The impact on views from the public rights of way should also be considered as part of the Landscape and Visual Impact Assessment.

### **Green Infrastructure and the Natural Environment**

Paragraph 180 of the NPPF (2023) outlines that planning policies and decisions should contribute to and enhance the natural and local environment. It highlights that decisions should protect and enhance valued landscapes, sites of biodiversity or geological value, and minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Policy G6 Part D further advises that “Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.”

Policy 69 of the Bromley Local Plan advises that a development proposal that may significantly affect the nature conservation interest or value of a Local Nature Reserve (LNR), Site of Importance for Nature Conservation (SINC) or a Regionally Important Geological Site (RIG) will be permitted only: If it can be shown that the reasons for the development or benefits to the local community from the development outweigh the interest or value of the site, or any harm can be overcome by mitigating measures, secured through conditions or planning obligations. This is further supported by Policy 79 of the Bromley Local Plan which refers to Biodiversity and Access to Nature

Policy 70 of the Bromley Local Plan seeks to protect wildlife features with supporting text paragraph 5.3.4 outlining that development proposals should begin by understanding their wider context and viewing promotion of nature conservation as integral to the scheme. New development should improve existing or create new habitats or use design to enhance biodiversity and provide for its on-going management. Most wildlife habitats are difficult to recreate, accordingly the replacement or relocation of species and habitats should only be a last resort.

Policy 72 of the Bromley Local Plan refers specifically to protected species and states that planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats.

Policies 73, 74 and 75 of the Bromley Local Plan require proposals to take particular account of existing trees and hedgerows on the site and on adjoining land.

It is understood that a Preliminary Ecological Appraisal (PEA) has been undertaken and this should be submitted with any formal application, along with any mitigation proposals identified.

Any formal application should also have regards to the impact of the proposal on the designated SINC areas to the north, east and west of the site (this includes SINC's within both LB Bromley and LB Croydon). This should be included and identified within the PEA. The design of the scheme should explore and maximise the opportunity in the interest of nature recovery and linking of these existing habitats. Whilst it might not be possible to provide areas of similar woodland to link the existing woods, other habitat creation may be included to play a similar 'corridor' role and improve the site's value in this context.

In addition, as required by Policy G6 of the London Plan, a biodiversity net gain report, accompanied by the full Natural England/DEFRA Biodiversity Metric should be provided in order to demonstrate a biodiversity net gain (BNG) for habitats of at least 10%. This should be informed by the best available ecological information and addressed from the start of the development process. Given the location of the site, you are encouraged to exceed the 10% BNG. In addition, other species specific ecological enhancements should be considered as part of any proposal.

There are also a number of trees and hedgerows in close proximity to the application site. The proposal should have no impact on these trees. All development including security fencing must be sited sufficiently distant that its installation has no impact on tree roots. Any formal application should be accompanied by an Arboricultural Impact Assessment (AIA). A Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) may also be required dependant on the findings of the AIA.

The applicant should also consider how the significant opportunities for tree planting onsite could be used to help offset carbon emissions involved in construction and screen the view of the batteries to preserve the rural character.

Policy G5 of the London Plan outlines that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design. The proposal should consider urban greening measures in line with Policy G5 of the London Plan and a target score of 0.3 would be required for developments that are commercial. The Mayor's Urban Greening Factor LPG provides further guidance on this policy.

## **Other Considerations**

### *Fire Safety and Security*

Paragraph: 034 Reference ID: 5-034-20230814 and Paragraph: 035 Reference ID: 5-035-20230814 of the NPPG make specific reference to the need for planning applications for the development of battery energy storage systems of 1 MWh or over to address the potential risks in particular relation to fire.

Applicants are encouraged to engage with the relevant local fire and rescue service before submitting an application to the local planning authority. This is so matters relating to the siting and location of battery energy storage systems, in particular in the event of an incident, prevention of the impact of thermal runaway, and emergency services access can be considered before an application is made. Applicants are also encouraged to

consider [guidance produced by the National Fire Chiefs Council](#) when preparing the application.

The location of such sites are of particular interest to fire and rescue services; who will seek to obtain details of the design, and firefighting access and facilities at these sites in their register of site specific risks that they maintain for the purposes of Section 7 of the Fire and Rescue Services Act 2004.

In accordance with London Plan Policy D12 Fire Statements should also be submitted with all major development proposals. These should be produced by a third-party independent, suitably-qualified assessor. Part B of Policy D12 outlines what should be detailed within the Fire Statement. I would also draw your attention to the Mayor's Draft Fire Safety LPG. It is the intention that the information provided within fire statement is focussed and concise, specific and relevant to the development, and proportionate to the scale, type and complexity of the proposal. Fire safety matters should also be considered in respect of site access.

The proposal should also incorporate Secured by Design principles to take account of crime prevention and community safety. Given the specific nature of this proposal, I would recommend that you contact Josh Cook at the Metropolitan Police on 07557832067 or [Joshua.p.e.cook@met.pnn.police.uk](mailto:Joshua.p.e.cook@met.pnn.police.uk) to discuss the Secured by Design requirements for this development at the earliest opportunity and prior to the submission of a formal planning application.

The impact of any security measures on the Green Belt and visual amenities of the area generally should be carefully considered and appropriate mitigation measures proposed i.e. appropriate planting alongside security fencing.

#### *Flooding and Drainage*

Policy 115 of the Bromley Local Plan and Policy SI 12 of the London Plan require developments to ensure that flood risk is minimised and mitigated.

Policy 116 of the Bromley Local Plan (2019) states that all developments should seek to incorporate Sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible. This is supported by Policy SI 13 (Sustainable Drainage) of the London Plan (2021).

Any formal application should be accompanied by a suitable flood risk assessment and drainage report which must make provision as how to dispose of surface water run-off.

#### *Energy Statement*

Policy SI2 of the London Plan requires all major development proposals be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly

- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. Whole life-cycle carbon emission assessments are also required for development proposals referable to the Mayor.

Policy SI7 of the London Plan may also be relevant, which requires applications to promote circular economy outcomes and aim to be net-zero waste. This should be demonstrated through a Circular Economy Statement.

Policy 113 of the Bromley Local Plan also requires all major development proposals to implement Site Waste Management Plans to reduce waste on site and manage remaining waste sustainably.

Any formal planning application for the proposed development should be accompanied by technical documents that will fully address the above policies, including any waste resulting from both the construction and operational phases of the development.

I would draw your attention to the Mayor's Energy Planning Guidance, Be Seen energy monitoring LPG, Whole life carbon LPG, and Circular economy statements LPG which provide further guidance (see <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance>).

#### *Land Contamination*

Policy 118 of the Bromley Local Plan states that where the development of contaminated land, or land suspected of being contaminated, is proposed, details of site investigations and remedial action should be submitted.

The application site lies within Groundwater Source Protection Zone II (Outer Protection Zone) and III (Total Catchment).

Any formal application should be accompanied by a contamination assessment, which will allow the impact on the Groundwater Source Protection Zones to also be reasonably assessed, and measures to mitigate against any impacts identified.

#### *Air Quality Management*

Policies SI1 of the London Plan and 120 of the Bromley Local Plan detail the need to tackle poor air quality.

The construction of the proposed development may have implications such as the potential for earth levelling, movement and routing of the stored energy, and the associated traffic. The most significant source of air pollution is therefore likely to derive from construction related traffic during the construction phase of the development.

Accordingly, an Air Quality Assessment (AQA) of construction traffic emissions should be undertaken as part of the application submission. If the operational part of the development would also result in impacts on air quality, these should also be addressed within the AQA.

In addition, and in conjunction with the AQA, a Construction Logistics and Environmental Management Plan (CLEMP) should be submitted with any formal application. As stated above, this should also consider the highways implications of the construction process.

Again your attention is drawn to the Mayor's Air quality LPG's.

#### *Noise*

Policies D14 of the London Plan and 119 of the Bromley Local Plan both seek to reduce, manage and mitigate potential negative impacts of noise to improve health and quality of life.

Policy D13 of the London Plan is also relevant and relates to the Agent of Change principle which places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities on the proposed new noise-sensitive development.

There is the potential of noise emanating from the equipment associated with the development. As stated above, any formal application should be accompanied by a Noise Impact Assessment (NIA).

#### *Lighting*

Policy 122 of the Bromley Local Plan states that lighting in new development should be at an appropriate level so as to minimise impact on amenity whilst ensuring safe and secure places.

The application documents indicates that security lighting is to be included within the development. However, during the pre-application meeting it was understood that lighting would not be included. If lighting is proposed then full details of this should be provided with any formal application. Any lighting on site should take account of the impact on wildlife and should follow any recommendations outlined within the Preliminary Ecological Appraisal (PEA), which should also accompany any formal application.

#### **Planning Obligations and CIL**

The London Borough of Bromley Community Infrastructure Levy (CIL) proposals were approved for adoption by the Council on 19 April 2021, with a date of effect on all relevant planning permissions determined on and after 15 June 2021.

Further details on the London Borough of Bromley CIL can be found at: [https://www.bromley.gov.uk/info/1004/planning\\_policy/1179/bromleys\\_community\\_infrastructure\\_levy](https://www.bromley.gov.uk/info/1004/planning_policy/1179/bromleys_community_infrastructure_levy).

The Mayor of London's Community Infrastructure Levy (CIL) would also be applicable on any formal application.

Further details of Mayoral CIL can be found at: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>.

Please submit a CIL form with any formal application.

The Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance. The Council expects that the draft Heads of Terms will have been agreed by the time an application is submitted for formal consideration. This will ensure early instruction to the Council's Legal Advisor to prepare a draft S106 can be made, thereby avoiding delay in issuing a permission.

Please be aware that the applicant/developer will be liable for the payment of the Council's legal costs in preparing the S106.

The Council's Planning Obligations SPD (June 2022) is available online.

### **Statement of Community Involvement**

A Statement of Community Involvement (SCI) SCI is one of the documents included in the Local Requirements. As such, the Council can decline to validate an application that is not accompanied by a statement setting out how the requirements for pre-application consultation have been complied with.

Prior to an application being submitted, early engagement with local residents, local amenity groups and other stakeholders must have taken place. The details of the consultation exercise should be provided with any planning application. This should demonstrate a collaborative approach and clearly explain how working with local people has informed the design and construction of the development. Details of local groups can be provided on request.

You should also engage with Local Ward Councillors. If you would like to carry out any wider Member engagement please contact me directly for further advice.

### **External consultees**

You may wish to contact other relevant organisations external to the Council that will be consultees during the processing of a planning application, such as, but not limited to, the Designing out Crime Officer (DOCO), Historic England, the Environment Agency (EA), Natural England, and National Grid prior to finalising the proposal for submission for a planning decision. It is the case that consultees may raise issues that cannot be identified during the Council's consideration of a pre-application enquiry.

In addition, as advised, the application may be referable to the Greater London Authority (GLA). The GLA offer their own pre-application advice service which can be found at: <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pre-planning-application-meeting-service>.

### **Validation Requirements**

I would draw your attention to the fact that the Council has a published Local Information Requirements document. The adopted document can be viewed on the Council's website and sets out material that will be considered essential to accompany your application.

At Officer's discretion, the Council can decline to validate an application not accompanied by relevant documents.

At this stage, I consider it likely that the following should be submitted with the application:

Forms/Fee:

- Completed Application Form with signed Ownership and Agricultural Holdings Certificate
- Application fee
- CIL Additional Information form

Drawings:

- Site location plan outlined in red (including land outside of the application within the same land ownership outlined in blue)
- Proposed Block Plan/Site Layout Plan
- Proposed Floor Plans and Elevations of all proposed development including any associated buildings/structures such as security fencing, lighting and CCTV
- Existing and Proposed Site Sections (to include the land levels surrounding the proposed development)
- Layout plans showing any internal access roads
- Plans indicating detailed design of internal access roads
- Plans showing any site levelling works (if required)
- Plans/details of any temporary construction compound required – i.e. size and location
- Plans/details of cabling to connect the development to the substation
- Photographs/Photo Montages/CGIs

Reports/Documents:

- Air Quality Assessment (this should cover transport related emissions as part of construction and link into CLEMP)
- Arboricultural Impact Assessment
- Archaeological Assessment
- Agricultural Land Assessment
- Alternative Sites Assessment/Sequential test
- Preliminary Ecological Appraisal (and relevant Phase 2 Ecology surveys)
- Full Biodiversity Metric and accompanying Biodiversity Net Gain Report
- Circular Economy Statement and GLA Template
- Construction Logistics and Environmental Management Plan (CLEMP)
- Design and Access Statement
- Energy Strategy
- Fire Statement
- Flood Risk Assessment and Surface Water Drainage Strategy
- Green Infrastructure and Landscaping Strategy including details of Urban Greening Factor calculations
- Heritage Assessment
- Land Contamination Assessment

- Landscape and Visual Impact Assessment
- Landscape and Ecological Management Plan
- Lighting Assessment (if any external lighting proposed)
- Noise Impact Assessment
- Planning Obligations – Draft Head(s) of Terms
- Planning Statement – this should set out any Very Special Circumstances and should also include details of the connection to the electrical grid and energy capacity information
- Statement of Community Involvement (SCI)
- Transport Assessment
- Whole Life-Cycle Carbon Assessment and GLA Template

### **Summary and Disclaimer**

In summary, the proposal would result in inappropriate development within the Green Belt, to which Very Special Circumstances would need to be demonstrated to outweigh any harm. A number of other matters would also be of consideration as outlined above; which includes, but is not limited to, concerns regarding the access to the site. However, insufficient information has been provided at this stage to comment on the acceptability of these matters.

I trust that you appreciate that all pre-application advice given is without prejudice to the recommendation or final decision on any application submitted.

I hope that the above advice and comments are helpful, and that they summarise the issues that were discussed.

Yours sincerely,

*Cat Lockton*

Principal Planner – Major Developments  
Housing, Planning and Regeneration