

# Planning, Design and Access Statement

Proposed 90MW Battery Energy Storage System (BESS)

Land off High Street, Newburn, Newcastle

Prepared on behalf of



May 2024



# Document Control Sheet

Project Name: Newburn BESS  
Project Ref: 094  
Report Title: Planning, Design and Access Statement  
Date: May 2024

Originator	Checked	Version	Date Issued	Version Comments
EG	ST	v.1	15/3/24	
EG	ST	v.2	29/5/24	

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## Contents

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
<b>2</b>	<b>Site Context.....</b>	<b>5</b>
<b>3</b>	<b>Proposed Development.....</b>	<b>7</b>
<b>4</b>	<b>Environmental Considerations .....</b>	<b>9</b>
<b>5</b>	<b>Planning Policy Context.....</b>	<b>12</b>
<b>6</b>	<b>Planning Assessment.....</b>	<b>19</b>
<b>7</b>	<b>Summary and Conclusions.....</b>	<b>25</b>

## Tables

Application Documents	Table 1.1
Application Drawings	Table 1.2
Site Planning History	Table 2.1
Core Strategy and Urban Core Plan Policies	Table 4.1
Development Allocation Plan Policies	Table 4.2

## Drawings

Site Location and Boundary Plan	2991-FIG-DR-0004 Rev P01
Existing Site Sections	29911-FIG-DR-0012.1 Rev P01
Proposed Layout Plan	29911-FIG-DR-0006 Rev P01
Proposed Site Sections	29911-FIG-DR-0012.3 Rev P01
Proposed Site Elevations (Sheet 1)	29911-FIG-DR-0007.1 Rev PX
Proposed Site Elevations (Sheet 2)	29911-FIG-DR-0007.2 Rev P01
Proposed Equipment Elevations (Sheet 1)	29911-FIG-DR-0011.1 Rev P01
Proposed Equipment Elevations (Sheet 2)	29911-FIG-DR-0011.2 Rev P01
Proposed CCTV Lighting Plan	2991-FIG-DR-0011.3 Rev P01
Proposed Demolition Plan	2991-FIG-DR-0013 Rev P01

## Appendices

Appendix 1	Surface Water Drainage Strategy Report
Appendix 2	Phase 1 Ground Conditions Desk Study
Appendix 3	Coal Mining Risk Assessment
Appendix 4	Construction Traffic Management Plan
Appendix 5	Transport Statement
Appendix 6	Flood Risk Assessment
Appendix 7	Noise Impact Assessment
Appendix 8	Fire Safety Note
Appendix 9	Biodiversity Net Gain Report
Appendix 10	Preliminary Ecological Appraisal Report
Appendix 11	Landscape and Visual Impact Appraisal
Appendix 12	Sustainability Statement

# 1 Introduction

## Overview

- 1.1 This Planning Statement has been prepared by IC Planning Ltd and is submitted in support of a planning application made to Newcastle City Council ('the Council') on behalf of Fig Power ('the Applicant'), seeking full planning permission for the *proposed development of 90-megawatt (MW) Battery Energy Storage System (BESS)* ('the proposal') on land off High Street, Newburn ('the site'). Planning permission is sought for an operational period of 40 years. The application site boundary covers approximately 0.6ha.
- 1.1 The Planning Statement provides detailed commentary on the application site, its surroundings and any relevant planning history before providing a detailed description of the proposed development. A summary of relevant national and local planning policies and guidance is then provided before presenting an assessment of the proposal in the context of adopted planning policy and other material considerations.
- 1.2 The statement also includes consideration of design and access in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 which stipulates that a Design and Access Statement should accompany planning applications for major development proposals. The statement explains the design principles and concepts that have been applied to the proposed development; and how issues relating to access have been dealt with.

## The Applicant – Fig Power

- 1.3 The applicant for the proposed development is Fig Power, a company aimed at developing distributed energy storage and generation assets.
- 1.4 Fig Power pride themselves of being at the heart of helping industry, investors and landowners make a materially significant contribution to the transition to net zero and their own Environmental Social Governance (ESG) commitments. Whilst also often using complex sites to create new energy hubs and develop robust solutions to transition energy-intensive industries to forms of power that are clean, resilient, and affordable.
- 1.5 Fig Power has worked closely with the existing landowner and its technical team, who are very familiar with the site, in the formulation of this proposal.

## The Need for Battery Storage

- 1.6 The Newburn BESS scheme will deliver 90MW of energy storage capacity to support the current electricity supply grid. Battery storage is a proven, cost-effective technology that provides the system-level flexibility needed to integrate more renewable generation and future-proof the country's electricity system.
- 1.7 Battery storage is essential to help the UK to achieve net zero for power generation by 2035 by creating an electricity system that is clean, affordable and secure. As well as storing power generated by renewable sources, batteries improve the resilience of the electricity system. By storing energy from renewable sources, which can then be used when it's most needed, the electricity system operates more efficiently, reducing the risk of blackouts.
- 1.8 Battery storage solutions have four major benefits that relate to supporting the increased development of renewable energy and strengthening the existing electricity grid:
- **Allowing more renewable energy generation** - Batteries help to manage variations in renewable generation, storing surplus electricity when wind and solar power are plentiful, and releasing it when there is a shortfall.
  - **Increased system resiliency** - Batteries respond rapidly to sudden changes in electricity supply and demand, acting as a 'first line of defence' to keep the energy system stable.
  - **Balancing electricity supply and demand** - To keep power supplies flowing, electricity supply and demand must always be equal, or 'balanced.' Batteries are highly flexible assets which charge, or discharge as needed to ensure balance.
  - **Future-proofing the electricity system** – The electricity supply of the country has changed significantly over the last 10 years with a major move away from the fossil fuel power sources to more renewable ones. It is likely as renewable energy projects and technologies continue to progress and develop and the remaining fossil fuel sources continue to be phased out that further significant changes will occur. Battery storage schemes will help to ensure that the energy system is as flexible as it needs to be to accommodate necessary changes.

- 1.9 The above-mentioned benefits have been recognised in multiple government reports and planning guidance<sup>1</sup> as measures that will allow the UK's energy sector to react and accommodate the rapid changes needed to tackle climate change.
- 1.10 The overall policy message across multiple sectors of climate change and energy supply is unambiguous and clear. The nation's power supply needs develop more renewable energy supplies, whilst also ensuring that the existing grid networks can efficiently utilise these new forms of energy generation.
- 1.11 BESS schemes such as the proposed Newburn site, are essential to meeting those objectives and are wholly consistent with the government's aims for the energy sector and the wider economy its supports.

### Application Submission

- 1.12 In accordance with the Council's validation requirements and the scoping undertaken as part of the pre-application consultation process, the application comprises the following submission documents:

*Table 1.1 – Application documents*

<b>Document</b>	<b>Prepared by</b>
Application Form and Ownership Certificate	IC Planning
Planning Statement	IC Planning
Sustainability Statement	IC Planning
Ecological Appraisal and Biodiversity Net Gain	Mabbett
Geo-Environmental Risk Assessment	Hydrock
Landscape and Visual Impact Assessment	One Environments
Noise Impact Assessment	Hydrock
Flood Risk Assessment	Hydrock
Transport Statement	Hydrock
Construction Traffic Management Plan	Hydrock

<sup>1</sup><https://www.gov.uk/government/publications/uk-battery-strategy>,  
<https://www.gov.uk/guidance/renewable-and-low-carbon-energy#battery-energy-storage-systems>

- 1.13 A comprehensive package of plans and drawings prepared by Hydrock is also included with the application as detailed below:

*Table 1.2 – Application drawings*

<b><i>Submitted Plans</i></b>	<b><i>Drawing No.</i></b>
Site Location and Boundary Plan	2991-FIG-DR-0004 Rev P01
Existing Site Sections	29911-FIG-DR-0012.1 Rev P01
Proposed Site Sections	29911-FIG-DR-0012.3 Rev P01
Proposed Site Layout Plan	29911-FIG-DR-0006 Rev P01
Proposed Site Elevations (Sheet 1)	29911-FIG-DR-0007.1 Rev PX
Proposed Site Elevations (Sheet 2)	29911-FIG-DR-0007.2 Rev P01
Proposed Equipment Elevations (Sheet1)	29911-FIG-DR-0011.1 Rev P01
Proposed Equipment Elevations (Sheet 2)	29911-FIG-DR-0011.2 Rev P01
Proposed CCTV Lighting Plan	2991-FIG-DR-0011.3 Rev P01
Demolition Plan	29911-FIG-DR-Y-0013 Rev P01

- 1.14 The Planning Statement should be read in conjunction with the technical reports included in the Appendices and plans outlined in Tables 1.1 and 1.2 above which provide the evidence base upon which the planning policy assessment has been made and the technical considerations to demonstrate deliverability.

## 2 Site Context

### Location

- 2.1 The site is located towards the south east of Newburn, an area in the south of Newcastle. The site is located on two hardstanding areas of a wider industrial site occupied by North East Concrete Plant, at the bottom of High Street (A6085). The site covers approximately 0.58 ha of land.

*Figure 2.1 – Aerial Site Plan*

- 2.2 The topography of the site is sloped, with the top (northern) site sloping from 25m AOD to 15m AOD to the south and the bottom (southern) sloping from 20m AOD to 14m AOD to the south. The site is located within Flood Zone 1. Walbottle Brickworks Local Nature Reserve is located to the north of the site, it will not be impacted by the proposed development.
- 2.3 There are no listed buildings within the direct vicinity of the development, with the closest being Grade II listed houses located on High Street approximately 200m south west from the site. Grade I listed St. Michaels Church approximately 400m West of the site. Neither of the designations will be impacted by the proposed development.

### Land Use

- 2.4 The top site is currently used as storage and extra parking for workers at North East Concrete Ltd. The bottom site is currently occupied by vehicle repair businesses. The immediate surrounding area adjacent to the site is used by North East Concrete Ltd for mineral processing and vehicle maintenance.
- 2.5 The site is located at the eastern end of the High Street and on the outside of central Newburn, in broadly industrial area, the wider area contains a mixture of small commercial, industrial and residential buildings.

### Vegetation

- 2.6 The site is surrounded by existing trees and vegetation along most of the site's boundary. The majority of this vegetation will remain unaffected by the application proposals.

### Access

- 2.7 Access is already available on site via High Street (A6085) due to the operational concrete plant, due to the site being manned infrequently once completed, there will be limited use of the access to the BESS.
- 2.8 There are no public rights of way through the site.

### Planning History

- 2.9 There are no recent planning applications relating directly related to the site. The most relevant planning history refers to applications by North East Concrete Ltd who currently occupy the site.
- 2.10 According to the Council's public access online system the most recent and relevant applications are shown in Table 2.1 below.

*Table 2.1- Planning History*

<i><b>Application Ref</b></i>	<i><b>Description of Development</b></i>	<i><b>Approval Date</b></i>
<i>2013/0915/01/DET</i>	<i>Erection of ground floor extension to existing facilities block and erection of first floor offices</i>	<i>16<sup>th</sup> Aug 2013</i>

### 3 Proposed Development

#### Application Proposal

- 3.1 The application is seeking full planning permission for the proposed development of development of a 90-megawatt (MW) Battery Energy Storage System (BESS) and associated infrastructure. The development would be temporary for a period of 40 years.
- 3.2 The main elements of the proposal include:
- The battery storage clusters;
  - Transformers and electrical current conversion systems both internal and external (Distribution Network Operator);
  - Access track to the site from the main highway;
  - Control Room;
  - Switch Room;
  - Temporary Site welfare facilities during construction;
  - Secure perimeter fencing;
  - Temporary construction compound and laydown area; and
  - Connection to on-site water main.
- 3.3 The application is supported a full suite of architectural drawings prepared by the applicant which present the development proposals in detail.

#### Access

- 3.4 The site will be accessed from High Street, via the already existing entrance to the North East Concrete Ltd operations.
- 3.5 Due to the nature of the BESS proposals, following the initial construction phase, visits to the site will be limited to carrying out any planned monitoring and maintenance processes. Access to undertake these tasks will be done using cars or small vans.

#### Equipment

- 3.6 The main component of the BESS scheme will be the battery units which will be laid in out in four rows running east to west. Each battery unit will be up to 2.9m high.
- 3.7 Each battery will feed into its own transformer and power conversion system which would convert the supply between the direct current (DC) from the battery and alternating current (AC) from the National Grid

and the transformer would step-up or step-down the voltage of the supply as required for the transmission/storage.

- 3.8 To support and manage the electrical flows to and from the site from the National Grid there will be a control room and 33kV switch room alongside resistor and harmonic filter equipment.

### **Security**

- 3.9 Once operational the BESS would be unmanned, due to this a series of security measures are required. The main battery storage compound would be enclosed by a perimeter fence which will stand at 3m. The fence will only be broken by a single double-leaf entrance gate on the southern side of the site.
- 3.10 The fencing will be supported by an alarm and Closed-Circuit TV (CCTV) system and motion sensitive lighting. It is envisaged that the lighting and CCTV systems will share the same 8m high columns, the locations of which are shown on the lighting drawing 29911-FIG-DR-Y-0011.3.
- 3.11 Lighting on the site would be kept to a minimum to help both reduce light pollution and running costs. Lighting would be motion sensitive and would only be required when maintenance staff are on site to allow safe movement.

### **Construction**

- 3.12 Surfacing within the compound would comprise permeable hardstanding and compacted stone access roads. Above-ground infrastructure would be connected by underground cables.
- 3.13 It is anticipated that a temporary construction compound and laydown area will be needed to support the development of the site. This area will only be used during the construction phase, after which it will be seeded to match the surrounding land uses. Whilst this specific area is yet to be defined, the temporary laydown area could be located with the adjacent areas currently used by North Eats Concrete.

## 4 Environmental Considerations

### Summary of environmental effects

- 4.1 The following information includes summaries of environmental effects of the proposed development, the full reports are included in the appendices.

### Ecology

- 4.2 A Preliminary Ecological Appraisal (PEA) has been prepared by Mabbett for this development and is included in Appendix 10. The report establishes the ecological baseline conditions of the site which may be affected by the proposed development. It is considered unlikely the proposed development would have a significant impact on the nearby designations.
- 4.3 The report concludes that good practice mitigation should be in place to prevent any negative impacts on the species identified within the report, also that work should be timed to avoid the bird breeding season, and if not an Ecological Clerk of Works should be present during the construction phase to ensure no damage to bird nests.
- 4.4 A Biodiversity Net Gain Report has been prepared by Mabbett for this development and is included in Appendix 9. The site area is below 1ha in size (0.6ha) and as such mandatory biodiversity net gain is not applicable to this scheme.

### Landscape

- 4.5 A Landscape and Visual Impact Appraisal has been produced by One Environments for the proposed development and is included within Appendix 11. The report highlights the potential effects of the proposed development on the urban landscape of the site and surrounding area and on the receptors likely to have views of the proposed development.
- 4.6 The report concludes that during the construction period, impacts may arise. Effects on landscape character are predicted to be moderate/minor and that the proposed development is unlikely to be readily visible from outside the site.

### Ground Conditions

- 4.7 A Phase 1 Ground Conditions Desk Study has been produced by Hydrock for the proposed development and is included within Appendix 2. The aim of the report was to provide a preliminary assessment of any potential geo-environmental and geotechnical risks to the proposed development.

- 4.8 The report concludes that there are potential geotechnical constraints which require further investigation and assessment. With regards to geo-environmental conclusions, it is considered that it is unlikely the site be classified as Contaminated Land, however possible pollutant linkages require further investigation and assessment. The report highlights recommendations for further work following investigation which can be included as a planning condition should permission be granted for this scheme.
- 4.9 A Coal Mining Risk Assessment has been prepared by Hydrock for the proposed development and is included within Appendix 3. The aim of the report was to present information on the coal mining issues relevant to the site and provide mitigation and show that the site is safe and suitable.
- 4.10 The report concludes that there is high risk of shallow recorded coal workings, subsidence is also considered a high risk, as a result a ground investigation is proposed. This conclusion is common for most development types within the former coal field areas, which cover large parts of Newcastle and surrounding Northumberland. A standard planning condition requiring the undertaking of further site investigations and the provision of a subsequent remediation strategy can be applied to the site if planning permission is granted.

#### **Water Resources**

- 4.11 A Flood Risk Assessment has been produced by Hydrock for the site and is included in Appendix 6. The findings show that the site is located within Flood Zone 1, as a result the site is of low risk from fluvial flooding. The assessment also concludes that the site is at a low risk of surface water flooding.
- 4.12 The report has concluded that with regards to flood risk, the development is suitable at the location if mitigation measures are considered, it will be adequately flood resistant and resilient and will not place additional people at risk of flooding. The proposal will also not increase flood risk elsewhere.
- 4.13 A Surface Water Drainage Strategy Report has been prepared by Hydrock for the site and is included in Appendix 1. It concludes that the surface water drainage system for the next development will be designed to accommodate the required flows for the lifetime of the development and will be designed in accordance with both national and local standards and best practice.

#### **Noise**

- 4.14 A Noise Impact Assessment has been produced by Hydrock for the site and is included within Appendix 7. The Noise Assessment establishes existing background sound levels and then the predicted noise levels from the proposed development.

- 4.15 The noise assessment has been concluded that noise mitigation measures which reduce the battery cabinet, power conversion system and transformer noise levels should be used. The mitigation measures include the use of noise insulating louvres, the location of which are shown on the proposed layout drawing 29911-FIG-DR-0006.
- 4.16 With these mitigation measures in place, it is predicted that noise levels from the proposed BESS and existing concrete facility will equal that of the existing background sound levels recorded.

#### **Traffic and Transport**

- 4.17 A Transport Statement has been produced by Hydrock and is included in Appendix 5. The assessment provides details of the proposed internal layout and access arrangements for the site both for the construction phase and post completion. This document concludes that the development will not have a material impact on the operation or safety of the surrounding highway network.
- 4.18 A Construction Traffic Management Plan has been produced by Hydrock for the site (Appendix 4), the document sets out the suitable and safe routes for the movement of construction materials to the site during the construction phase. Post completion of the site, it will need minimal maintenance with approximately 2 visits per month, as a result the level of traffic is not considered material.

## 5 Planning Policy Context

### Decision Taking

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 states that where an application is made to a local planning authority for planning permission, the authority shall have regard to the provisions of the development plan, so far as material to the application. The development plan in this instance comprises the Newcastle City Council Core Strategy and Urban Core Plan 2010-2030 (CSUCP) and the Development and Allocations Plan 2015-2030 (DAP).
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The National Planning Policy Framework 2023 ('NPPF') and any relevant Supplementary Planning Documents (SPDs) are a material consideration.

### National Planning Policy Framework (December 2023)

- 5.3 The NPPF sets out the Government's overarching policy framework for planning and is a material consideration in the determination of applications. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. To achieve sustainable development, the NPPF states that economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.
- 5.4 Paragraph 11 of the NPPF sets out a 'presumption in favour of sustainable development', which for decision-taking means *"approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits..."*
- 5.5 Paragraph 38 of the NPPF is clear that *"Local planning authorities should approach decisions on proposed development in a positive and creative way"*. In accordance with the presumption in favour of sustainable development, LPAs should *"work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area... Decision-makers at every level should seek to approve applications for sustainable development where possible"*.
- 5.6 As stated in Chapter 1 of this submission, the proposed scheme is needed to support the National Grid in managing the fluctuations which naturally occur as part of the generation of renewable energy. BESS

projects such as the proposal will allow the more widespread use of renewable energy, removing those fluctuations in supply and providing a system that can in turn use that green energy as and when its needed. This benefit is specifically recognised within the Planning Practice Guidance<sup>2</sup>. The proposed development is wholly consistent with the aims of achieving sustainable development.

- 5.7 Paragraph 157 of the NPPF sets out that *“the planning system should support the transition to a low carbon future in a changing climate”*. This is in line with the aims of the proposed development, the approach is consistent with the NPPF’s overall aims of achieving sustainable development.
- 5.8 Paragraph 163 of the NPPF states that *“when determining planning applications for renewable and low carbon development planning authorities... should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.”*
- 5.9 Paragraph 165 of the NPPF states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.”* Paragraph 173 of the NPPF states that *“local authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.”* The application proposals are consistent with these objectives as are set out in the Flood Risk Assessment included in Appendix 6 and the Surface Water Drainage Strategy contained in Appendix 1.
- 5.10 Paragraph 191 of the NPPF states that *“decisions should ensure that the new development is appropriate for its location taking into account likely effects.”* to assist with this judgement a landscape assessment has been produced and is included in Appendix 11. The assessment concludes that the proposals will not have unacceptable impact upon local landscape and visual amenity receptors around the site.
- 5.11 Overall, the developments proposals are consistent with the aims and objectives of the NPPF.

#### **Overarching National Policy Statement for Energy (EN-1) (March 2023)**

- 5.12 This National Policy Statement (NPS) sets out national policy for the energy infrastructure and may be a material consideration in making decisions on planning applications under the 1990 Town and Country Planning Act.
- 5.13 Part 2 of this document sets out the importance of the production of energy and getting it to where it is needed on both a local and national scale.

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<sup>2</sup> 032 Reference ID: 5-032-20230814

- 5.14 Section 2.3 of the NPS addresses the UK's aim for reaching net zero. Stating that the objectives for energy systems are to ensure the supply of energy always remains secure, reliable, affordable, and consistent with meeting targets to cut greenhouse gas emissions to be net zero by 2050. EN-1 paragraph 2.3.5 further highlights the need to change the sources of energy from fossil fuels to more low carbon sources, EN-1 confirms this by emphasising *“the importance of addressing our underlying vulnerability to international energy prices by reducing our dependence on imported oil and gas, by improving energy efficiency”* (EN-1, paragraph 2.5.6).
- 5.15 On supporting energy systems EN-1 paragraph 2.3.4 addresses that in order to meet the objectives, both large and small-scale energy infrastructures are needed. This is expanded in EN-1 paragraph 3.3.8 stating, *“The government has considered alternatives to the need for new large-scale electricity infrastructure ... increasing the contribution of decentralised and smaller-scale electricity infrastructure.”*
- 5.16 With regards to Energy storage EN-1 states *“Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production”* (EN-1, paragraph 3.3.6). EN-1 also emphasises that energy storage is a key asset to ensuring peak demand is met whilst also reducing the need for network infrastructure.

#### **UK Battery Strategy - November 2023**

- 5.17 The Department for Business and Trade have published the UK Battery Strategy in late 2023. The strategy sets out the aims and objectives for the future of Batteries and Energy within the UK. The vision being that by 2030 the UK will have a globally competitive battery supply chain that supports economic prosperity and the net zero transition.
- 5.18 Both The Faraday Institution and BloombergNEF estimate that BESS could provide 10-20GW of capacity to the UK grid by 2030, and 30-50GW by 2050.

#### **Planning Practice Guidance**

- Renewable and Low Carbon Energy – August 2023 update

- 5.19 The PPG contains up to date advice on how BESS projects should be assessed. The guidance acknowledges the electricity storage can enable the country 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.

5.20 The guidance also highlights the need to consider the potential fire risks associated with the battery scheme and directs decision maker to consider the guidance produced by the National Fire Chiefs Council on the matter. Fire management details are included in Appendix 8 of this planning application.

- Climate Change - 2019

5.21 This PPG, which addresses climate change, is one of the core land use planning principles which the NPPF expects to underpin both plan-making and decision-taking. The guidance sets out that local authorities should adopt proactive strategies to mitigate and adapt to climate change, in accordance with Climate Change Act 2008 with its target to reduce greenhouse gas emissions.

5.22 The guidance also sets out that local authorities can use strategies within their local plans to mitigate climate change for example by providing opportunities for renewable and low carbon energy technologies.

### The Development Plan

5.23 The development plan is the starting point for considering planning applications. Newcastle City Council's Local Plan, adopted in March 2015, is the primary material consideration in determining planning applications in Newcastle. The plan is divided into two parts:

- Part 1 – Core Strategy and Urban Core Plan (CSUCP) (adopted 2015)
- Part 2 – Development and Allocations Plan (DAP) (adopted 2020)

5.24 The above documents set out the Council's planning and land use policies as well as the areas for growth and development. The following policies of the adopted Local Plan are complied with by the proposed development and are considered relevant the consideration of this application.

Table 4.1 – CSUCP Policies

<b>Policy</b>	<b>Summary</b>
<i>CS1 – Spatial Strategy for Sustainable Growth</i>	<p>This policy focuses on development creating and sustaining thriving communities and producing a more prosperous economy. This will be achieved through sustainable development and all development being:</p> <ul style="list-style-type: none"> <li>i. Fully inclusive, irrespective of cultural background ethnicity and age, to meet the diverse needs of all residents and communities.</li> <li>ii. Well-connected and accessible by sustainable modes of transport.</li> <li>iii. Well designed to promote community cohesion, wellbeing, and to</li> </ul>

	<p>reflect and enhance the area's character and natural environment.</p> <p>iv. Designed to reduce carbon emissions and adapted to the effects of climate change.</p> <p>The overall aim of the proposed development is to increase the use of renewable energy within the National Grid and therefore reduce carbon emissions.</p>
<i>CS14 – Wellbeing and Health</i>	<p>Supports the wellbeing and health of communities being maintained and improved through the development by creating an inclusive built and natural environment, preventing negative impacts on residential amenity and wider public safety from noise, ground instability, ground and water contamination, vibration and air quality.</p> <p>Noise emissions from the proposed development have been comprehensively assessed to ensure compliance with this policy.</p>
<i>CS16 – Climate Change</i>	<p>This policy supports development that will be sustainable and will be able to function effectively in a changing climate and address the impacts on climate change emissions. Developments are required to use a good standard of building fabric, be flexible from the outset, deliver a good level of sustainability, minimise contributions to impacts of climate change, reduce its whole-life CO2 equivalent emissions and optimise the use of local renewable or low carbon energy. The proposed BESS scheme is wholly consistent with this policy.</p>
<i>CS17 – Flood Risk and Water Management</i>	<p>Ensures that development will avoid and manage flood risk from all sources, whilst taking into account the impact of climate change. Development should avoid and manage flood risk, ensure water supply and foul and surface water infrastructure are provided, not adversely affect water quality and separate minimise and control surface water runoff. This application includes both a Flood Risk Assessment (Appendix 6) and Surface Water Drainage Strategy (Appendix 1).</p>
<i>CS20 - Minerals</i>	<p>This policy sets out how mineral resources and related infrastructure will be managed and safeguarded to meet current and future needs, they should also not be sterilised by non-mineral development. This matter is addressed in more detail in Chapter 6, but the application proposals will not result in the unacceptable sterilisation of mineral processing infrastructure.</p>

Table 4.2 – DAP Policies

<b>Policy</b>	<b>Summary</b>
<i>DM1 – Employment Sites</i>	This policy shows the employment sites within Newcastle, this includes: Newburn High Street/Walbottle Road, Newburn - The employment sites allocated for employment uses within Use Classes B1 (Business) B2 (General Industrial) and B8 (Storage or Distribution).
<i>DM10 – Pedestrian and Cycle Movement</i>	This policy requires development to be designed to encourage walking and cycling through: 1. Providing safe, convenient, attractive and continuous pedestrian and cycle links to key local facilities and services. 2. Provide connections through developments both to the existing and future wider pedestrian and cycle network. 3. Demonstrate that major developments are within acceptable walking and cycling distances of key local facilities and services.
<i>DM20 - Design</i>	This policy sets out the design principles that developments are required to deliver, these include improving the character of the area, demonstrating a positive response to the natural and built environment and incorporating measures to address the impacts of climate change.
<i>DM23 – Residential Amenity</i>	States that where development which would have an unacceptable adverse impact on residential amenity of existing occupants will not be allowed. This will be assessed to protect the character of the buildings and surrounding area, protect trees and soft landscaping, avoid the introduction of unacceptable additional accesses and to ensure noise, disturbances will not have an unacceptable adverse impact on residential amenity.
<i>DM24 – Environmental and Health Impacts of Development</i>	States that proposals are required to show there is no unacceptable adverse environmental and health impacts from development. Development must assess and mitigate air quality, noise and vibration, land contamination or instability, light pollution levels, and ensuring that existing occupants are at risk.
<i>DM26 – Flood Risk and Water Management</i>	This policy requires development to manage and reduce flood risk, development will also be required to demonstrate that its surface water drainage strategy, site layout and design will prevent flooding. Also, development must ensure it protects and improves surface and ground water quality and quantity.

<i>DM28 – Trees and Landscaping</i>	This policy requires development to protect, enhance and manage existing trees and landscape features, development that would result in the loss of them will not be permitted unless shown that it can be located elsewhere or need for development outweighs the harm to ecological value. Development will also be required to include new trees and landscape features.
<i>DM29 – Protecting and Enhancing Geodiversity, Biodiversity and Habitats</i>	States that development that may affect and designated site, biodiversity or important habitat or species an up-to-date ecological assessment should be provided. Development that will directly or indirectly cause harm to a Local Nature Reserve (LNR), have adverse effect on priority habitats and species and also biodiversity value should be avoided and only permitted where adequate mitigation is secured.
<i>DM32 – Minerals Extractions and Reclamation</i>	The application site is identified as a safeguarded minerals infrastructure which will be protected against unnecessary loss to non-minerals development. This matter is discussed in more detail in Chapter 6 of this submission.

## 6 Planning Assessment

### Determining Issues

6.1 Taking into account the characteristic of the application site, the nature of the development proposal and the planning policy context, it is considered that the key issues to be assessed in the determination of this planning application are as follows:

- Principle of development;
- Landscape and Visual Impact;
- Access and Parking;
- Residential Amenity;
- Flood Risk and Drainage;
- Ground Conditions;
- Sustainability and Climate Change;
- Fire Safety management!
- Mineral Infrastructure Safeguarding

### Principle of Development

6.2 Battery storage schemes that provide standby power generation and frequency balancing services are key ancillary developments to renewable energy generation. The proposed development would help in creating and sustaining communities and the economy by providing investment to ensure a secure electricity supply will be provided to communities regardless of the demand for electricity.

6.3 The proposal does not include a point source of emissions, as a result it will assist with reducing emissions and the effects of climate change. In addition to the benefits and need for BESS's that are highlighted within Chapter 1 of this statement, the construction phase of the proposal will have increased benefit to the local economy with the creation of temporary jobs and supply chain spending from contractors.

6.4 There is support at national level through the form of the NPPF which states in paragraph 157 that the planning system should support the transition towards a low carbon future. It also goes on to outline that this should be through the support of renewable and low carbon energy and their associated infrastructure. At the local level, Policy CS1 reflects the sustainable development aims of the NPPF.

6.5 BESS developments are a key form of renewable energy that will help in moving towards a low carbon future. The NPPF is clear that the planning system should support the transition towards a low carbon future, which

includes supporting renewable and low carbon energy and their associated infrastructure. For these reasons it is considered that the proposed developments principle of delivering energy storage is acceptable when looking at the NPPF and the Development Plan. Other BESS schemes within Newcastle<sup>3</sup> have been considered to accord with Policy CS 1 and all policies which promote and focus on renewable energy.

### **Landscape and Visual Impact**

- 6.6 A Landscape and Visual Impact Appraisal has been submitted to support the planning application (Appendix 11) which concluded that whilst the operation will have landscape and visual effects, the nature of these is considered neutral due to the location and the existing use of the site.
- 6.7 There is existing woodland located to the northeast of the site this will be retained, this area provides a degree of visual screening from the residential premises located at Mill Vale. The project will not result in the need to remove any other existing trees or hedgerows.
- 6.8 There are no heritage designations on site and the proposed development is not located within the setting of any listed buildings or Conservation Areas. On the basis of the above the proposals should be acceptable from a landscape and visual impact perspective.

### **Access and Parking**

- 6.9 The Construction Management Process is detailed within the Construction Traffic Management Plan, contained within Appendix 4. This includes swept path analysis for all the vehicles during the construction phase, this demonstrates safe access to and from the site during construction. During the construction period it is proposed that there will be approximately 100 two-way movements which would equate to 3-6 movements per day. Not all of these movements would be done by HGV's, some will be via smaller vehicles or vans.
- 6.10 Once the construction phase is complete the site will be manned infrequently with approximately 2 visits per month for maintenance and operational purposes. As a result, it is considered that all the traffic movements for the proposed development will have a minimal/temporary impact on the surrounding road network system.
- 6.11 The Transport Statement contained in Appendix 5, concludes that post completion of the site there will be negligible effect of operational traffic on the local road systems and will not have a material impact on the operation or safety of the surrounding highway network.

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<sup>3</sup> Newcastle City Council Planning Reference 2021/2405/01/DET

- 6.12 As a result of the above-mentioned points, it is considered that the proposed development complies with the NPPF and the requirements of Newcastle City Council's policies CS 13 and DM 14.

### **Residential Amenity**

- 6.13 The Noise Assessment which accompanies this document (Appendix 7) concludes that with the specified mitigation, the noise contribution from the proposed battery system will have no significant impact on residential amenity and when assessed in accordance with BS4142. The construction period of the development will be managed in accordance with best practice.
- 6.14 The residential amenity, which is situated nearby in the Mill Vale estate is considerably sheltered by trees and vegetation corridor. As a result, it is considered that the development through both construction phase and operational the BESS will not have an impact on the surrounding residents.
- 6.15 As a result of the points mentioned above it is considered that the proposal complies with the NPPF and Newcastle City Councils policies CS 17 and DM 26 in relation to amenity and human health and wellbeing.

### **Flood Risk and Drainage**

- 6.16 The site is located within flood zone 1, the accompanied Flood Risk Assessment (Appendix 6) establishes that the risk from surface water flooding will be low and also the proposed development will not cause an increase in flooding to the surrounding areas. This complies with the NPPF's requirement that development proposals should ensure flood risk is not increased 'elsewhere' (para. 170).
- 6.17 Sustainable drainage systems within the proposal would not increase the flooding and that drainage meets identified greenfield run off rates. The site for the proposed development can be suitably, safely and sustainably drained, the proposed development has been designed and will be constructed to meet the requirements that area set out in the NPPF and the councils' policies and guidance.
- 6.18 With regards to foul drainage, due to the proposed development being mostly unmanned there will be no need for foul drainage mains connection. There will be facilities provided through the welfare unit that is proposed, however any foul water will be taken offsite by tanker.
- 6.19 Taking into account the points mentioned above and the information given in the Flood Risk Assessment, it is clear that the proposal will avoid and manage flood risk. The proposal will also manage surface run-off to ensure flood risk is not increased in the surrounding areas. The proposal therefore complies with the NPPF and Newcastle City Councils policies CS 17 and DM 26.

### Ground Conditions

- 6.20 A detailed Coal Mining Risk Assessment has been prepared and is included in Appendix 3. The report highlights that the site lies within an area at high risk of being subject to former coal workings. Standard mitigation can be applied to mitigate this development constraint. Further intrusive site investigations will be undertaken on site following any approval and a detailed remediation scheme will be supplied to the Council and the Coal Authority.
- 6.21 The risk of contamination on site is likely to be low however this will be confirmed through post decision intrusive investigations as well. The risks associated with the ground conditions have been highlighted and standard mitigation measures can be applied in due course as the site is developed. On this basis this potential constraint can be addressed and mitigated with the scheme being made acceptable as a result, therefore complies with policy DM 24.

### Sustainability and Climate Change

- 6.22 The NPPF has now put a large emphasis on the UK's transition to a low carbon future and planning for climate change.
- 6.23 *"...consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development".*
- 6.24 The proposal of a BESS and the land that it is proposed to be constructed on are considered to be suitable. This development is fundamentally a sustainable development as the BESS will contribute to providing a reliable and constant supply of electricity by matching supply to demand and as a result will support the NPPF's aim in transitioning to low carbon and renewable energy generation. The site is also located on previously developed, brownfield land.
- 6.25 The proposed development supports renewable and low carbon energy through the above-mentioned processes. For these reasons it will assist with environmental, economic and social benefits making it a sustainable development and complying with the NPPF.
- 6.26 With regards to the proposal's impact on climate change the proposal will be, for the majority of its operation, unmanned with approximately 2 visits per month for maintenance purposes. As a result, the energy demand on site will be minimal, the proposal will have a lifetime of 40 years after which it will be decommissioned and returned to its current condition.

6.27 During the construction, best practices will be utilised and with regards to matters such as traffic, waste and recycling, due to the site being unmanned for the majority of its operation, these will not be material impacts. For these reasons, the proposed development meets the requirements of Policy CS16 and also complies with criterion 6 of this policy which requires developments to optimise the use of local renewable or low carbon energy in accordance with the hierarchy it sets out. This is further highlighted within the Sustainability Statement (Appendix 12) which supports this planning statement.

6.28 With regards to air quality the construction of the proposed development is considered to have minimal impact upon the surrounding area. The proposed development will not have any combustion sources as a result there will be no impact on the air quality of the surrounding area. The proposal will not have unacceptable impact upon the air quality of the area, therefore complies with policies CS 14 and DM 24.

#### **Fire Safety Management**

6.29 This application is accompanied by a Fire Safety note which has been produced by the applicant and is contained in Appendix 8. The document explains the risks of fire outbreak and explains some of the common causes for these occurring in the past.

6.30 The technology involved in the battery storage industry has developed rapidly in recent years, with much effort being placed on temperature control and cooling management, all with the aim of meeting the highest safety standards.

6.31 The attached note sets out a series of measures which will be employed on site to reduce the risk of fire occurring. As part of the preparation of this application and in line with planning practice guidance<sup>4</sup> initial discussions have been held with representatives of the Tyne and Wear Fire Service.

#### **Mineral Infrastructure Safeguarding**

6.32 The site is currently used to support the existing mineral processing operations undertaken by North East Concrete Ltd. On that basis the majority of the site lies within an area covered by Policy DM32, which seeks to safeguard minerals infrastructure site from non-minerals development. The latter half of Policy DM32 states:

*“Proposals for non-mineral development within a minerals infrastructure site will not be supported, unless it can be demonstrated that:*

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<sup>4</sup> Paragraph 034 Reference ID: 5-034-20230814

- i) *The proposal will not prejudice the current or future use of the site;*
- ii) *The site is no longer needed for mineral handling, processing, storage and transport; or*
- iii) *Alternative minerals related infrastructure and/or capacity can be provided at an alternative site.”*

6.33 The proposed BESS scheme complies with all three criteria outlined above. It should be highlighted at this stage that the application proposals have been prepared with the full support of North East Concrete Ltd. In relation to the first criteria, the proposed BESS scheme will not prevent the mineral processing activities from being undertaken on the site, processing operations will still be above to the undertaken in the remaining areas of the site not affected by the battery storage proposals.

6.34 In relation to criterion ii) and iii) it is important that the Council is aware of North East Concrete’s wider growth plans. In July 2022, Gateshead Council granted approval for the development of a new concrete batching facility, alongside increased material storage areas and a new head office facility for NEC on land off Longshank Lane in Birtley. The Gateshead Council planning reference for this application is DC/21/00938/FUL. It was made clear in that application that the increase in space required at Birtley was to accommodate the company’s existing operations at Newburn which would eventually move over.

6.35 It is on the basis of the above and an alternative site being available, that criterion ii) and iii) have been met, and as such the proposals comply with Policy DM32 of the DAP.

## **7 Summary and Conclusions**

- 7.1 The proposed BESS scheme is an important step in supporting the growth and wider use of renewable energy within the UK. The storage capacity that the scheme will deliver will help that electricity supply grid to capture energy generated by renewable energy sources that otherwise would potentially go unused.
- 7.2 The proposed Newburn BESS project is fundamentally a sustainable development, playing a major role in the reduction of greenhouse gas emissions and helping to achieve net zero. On that basis the application proposals are wholly consistent with the aims of the NPPF, and local planning policy as outlined in the CSUCP and the DAP development plan documents.
- 7.3 The application site is currently underused containing largely hard standings. The application site is set within a wider predominantly industrial context surrounded by similar scale of development, particularly to the south where there are existing largescale industrial operations.
- 7.4 This application is accompanied by a broad suite of comprehensive technical assessments that demonstrate that the proposals will not result in any unacceptable amenity or environmental effects.
- 7.5 It is on the basis of the above that the proposals should be supported by planning officers and the scheme recommended for approval.