

Staffordshire Moorlands District Council
Development Control
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Our ref: SV/2025/112904/01-L01
Your ref: SMD/2024/0568
Date: 24 March 2025

F.A.O: Declan Cleary

Dear Declan

PROPOSED DEVELOPMENT OF A BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUTURE AT NEW HOUSE FARM, LUZLOW LANE, BAGNALL, STAFFORDSHIRE ST9 9JZ

Thank you for referring the above application which was received on the 4 March 2025. I would offer the following comments for your consideration at this time. The Environment Agency were consulted on the EIA Scoping Opinion for this development and provided comments on those areas we would expect consideration within the application and Environmental Statement (ES).

The submitted ES confirms that both flood risk and ecology were subsequently scoped out although we note that a separate Flood Risk Assessment (FRA), ecological appraisal and biodiversity metric report do support the proposals.

Flood Risk: As confirmed within the ES, and based on the Flood Map for Planning, the site lies within Flood Zone 1, the low risk Zone. Whilst there is no shown impact from fluvial sources there does appear to be a small ordinary watercourse that bisects the site and in immediate proximity to the proposed development.

There is currently a lack of clarity, within National Planning Policy, regarding the vulnerability classification of BESS development. For standalone BESS development, until the vulnerability classification is updated, or other guidance is provided by DLUHC (or DESNZ), we would advise that such facilities should be treated as 'essential infrastructure' if providing 'grid and primary substations storage' (e.g. if the BESS is connected to the national grid) as proposed by this site.

A range of Sustainable Urban Drainage Systems (SUDS) could be incorporated throughout the development, and we expect all opportunities to be fully exploited in the scheme so as to ensure no negative impact on water quality and deliver enhancements in line with the WFD and Biodiversity Net Gain (BNG). Incorporation of systems along pathways (i.e. roads, verges, open areas, footpaths etc) and near to receptors (i.e. near

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to watercourses) can not only control flows but potentially bring about improvements in water quality, ecology of receiving watercourses. Your Council, as the Lead Local Flood Authority (LLFA), will need to consider the impacts of the ordinary watercourse as the statutory consultee in this regard and any surface water management measures.

Risk to groundwater and surface water: Under normal operation BESS developments do not present significant risks to groundwater or surface water. There is, however, potential for pollution of the water environment due to abnormal and emergency situations at BESS developments, in particular: fires. There is a risk that highly polluting chemicals in batteries could enter groundwater in firewater or rainfall.

Applicants should assess risks to groundwater and the water environment, and ensure robust mitigation is in place for containment of this water. Where possible the applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring.

While in the event of a fire at a BESS, it is accepted best practice to let the containers on fire burn out, it is likely water will be used to cool neighbouring containers. This water could enter burning containers through surface run off or directly from spray cooling neighbouring containers. Furthermore, during or following a fire at a BESS development, water could enter exposed containers through rainfall during the period of time it takes to remove, or cover burnt out containers. The site must be able to accommodate an appropriately sized water storage for these events.

We would encourage your Council and developer to ensure that appropriate space is available on site for firefighting water storage and containment. We would suggest that the surface water drainage system incorporates suitable measures to prevent pollution of the water environment from firefighting run-off, in the event of a fire. For example, 'containment' through tanks or appropriately sealed containment drainage (lagoons tanks or storage) systems, on impermeable surfaces to hold firewater. Use of shut off valves. Spill kits and drainage covers.

Whilst the proposed development is not currently an operation we regulate under Environmental Permitting Regulations, the following advice may be of use: [Fire prevention plans: environmental permits - GOV.UK](#)

In line with Planning Guidance [Renewable and low carbon energy - GOV.UK](#):

- Applicants are encouraged to engage with Local Fire & Rescue Services issues of siting and location of BESS are dealt with before applications are made. Ideally this should be done before submitting a planning application.
- Local planning authorities are to refer to guidance produced by the National Fire Chiefs Council ([Knowledge base - NFCC](#)) for consideration when determining applications and consult with local Fire & Rescue Services before issuing decisions. Matters relating to the siting and location of such facilities in the event of an incident, prevention of thermal runaway and emergency services access should be considered.
- Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service.

To help mitigate the risks arising from accidents or spillages, applicants should propose appropriate measures to manage activities and consider whether certain riskier activities should only be carried out within specific areas on site to reduce associated environmental risks.

It may also be important to consider the risk of failure of mitigation measures to manage identified risks. For example, the risk that a containment system to contain surface water in the event of a fire failing because of the fire. The extent of the measures taken to assess and manage this risk may depend on the sensitivity of the groundwater or surface water bodies affected.

Ecology & Biodiversity: In England, under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) it is now mandatory for planning applications to deliver a 10% uplift in biodiversity. Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. While we are not a statutory consultee on BNG, we have an interest in improving the biodiversity/ecology of the water environment.

We note that BNG calculations undertaken in support of the application have demonstrated that the creation of more ecologically valued habitats will deliver a net gain, as well as provide intrinsic value for protected species across the local landscape. You may wish to seek the comments of Natural England and your ecologist.

Yours faithfully

Mr. Graeme Irwin
Planning
Direct e-mail

Advisor