

**Appeal Ref: APP/C3430/W/24/3344658**

**Application Ref: 23/000145/FUL**

**Appeal by: Anglo ES Levedale Ltd, C/O Mr James Stone of Anglo Renewables Ltd**

**Site at: Land on the southwest side of Levedale Road, Penkridge, Staffordshire, ST18 9AH**

### **Public comments**

#### **Mr Julian Salmon (Objects)**

**Comment submitted date: Tue 07 Nov 2023**

I have just been looking at the amended application for this commercial battery operation which is blatantly turning high quality farmland into a highly unstable industrial bomb purely for financial gain.

So apparently now the bribe for destroying greater crested newt habitat is £78,510.00 + VAT, but what is not said here is that the affected pool is not on land owned by the applicant and is a header pool that feeds several others and provides irrigation for crops and animals on a neighbouring farm. So if this watercourse is poisoned who is paying for destroying the neighbouring farmers livelihood? does anyone even care because obviously the applicants don't!

I would also like to know if the applicant has a schedule for actually connecting this bomb to the grid as it is well documented that the grid is at capacity and has a waiting time of years before a connection can be made, so are we just destroying prime agricultural land to then wait for several years for a connection at which point far more environmentally friendly and safer option could be available to us, this is not the right use for this site in any way shape or form.

We are now seeing a lithium battery fire every 2 days in London alone we are seeing children killed in the fires and explosions caused by these types of battery, public charging points in car parks are being closed off due to safety concerns and it has been stated that EVERY Bss WILL have an incident within their life span. couple this with the proximity to ourselves living next door (Within 200 meters of the site) and the time it would take emergency services to get to the site it is obvious that this development seriously endangers the lives of those of us living adjacent to the site, and that's not including the fact that the fire chief will not even comment on their ability to react to, contain and extinguish a fire on the site, why is that? because they cannot!

To those people who live within a few miles of the site and are not bothered as it 'Does not affect them', I say this, you are not safe, just because you are not within the blast zone if this site goes up then the seriously hazardous chemical fumes that will be given off for days can and will affect people for miles around, if it will affect you will be down to the wind direction over the days of the fire so no you are not safe at all!

As our elected officials you MUST protect us from harm, this application is not about saving the environment or going green, it is a money driven business model that is destroying wildlife, prime farmland and local lives for pure profit and so it must be stopped.

### **Mr And Mrs Emmerson (Objects)**

**Comment submitted date: Mon 16 Oct 2023**

My husband and I strongly object to the application of the Battery Energy storage and we are almost directly opposite. We can't believe that prime arable land would be a place to put it. There is a grade 2 listed building which is now a residential school for children and also homes which are very near to the Battery facility which worries us a great deal due to all the information we have found it seems that it could be a ticking time bomb in the fact if one battery heats up the whole lot would and could quite easily go up in flames . The fumes and contamination would be bad enough but what would happen to our wild life along with the contamination of the water to put the fires out which would then leak into the ground and reading the information we have found is that it can take days to put out . These battery fires are becoming more often and this is a huge worry for not only us but the residents on this road . How would the fire service from Penkrige even cope with this if it were to happen.

We are extremely concerned about this awful planning application

### **Mrs Shirley Penrice (Objects)**

**Comment submitted date: Fri 06 Oct 2023**

We strongly object to the proposed Battery Energy Storage Facility

This site overlooks our home, along with several other properties, including Longridge House, a Grade II Listed Residential School.

The impact on our community will be devastating. The destruction of prime arable land, wildlife and the environment cannot be underestimated or ignored.

The installation of security lighting, CCTV & security fencing will negatively impact the quality of our lives and become an industrial blot on the agricultural landscape.

The potential hazards of Battery Energy Storage Systems, particularly those located in residential areas were highlighted in a recent House of Commons Debate.

MP Maria Miller's Private Members Bill is calling for England's Fire & Rescue Services, to be made statutory consultants in the planning applications for proposed industry Lithium-ion Battery Storage Facilities.

BESS are highly complex, with the potential to create dangerous events & hazardous substances.

The second reading of the bill is scheduled for November 24th, and aims to ensure that Industrial Lithium-ion Battery Storage Facilities are correctly categorised as hazardous so that the Environment Agency, the Health and Safety Executive and Fire and Rescue Services are consultees when planning applications are considered.

On this basis alone surely this facility should not be sited in a residential area and should be rejected.

### **Mrs Beryl Williams (Objects)**

**Comment submitted date: Thu 28 Sep 2023**

I strongly object to the above referenced battery installation on many grounds detailed below:

1. **Location and Landscape Impact:** The proposed BESS site is in the field owned by Madders Farmers, directly opposite the farms of Gareth Acerman and Brian Mould. Such a development would dramatically alter the rural character of this stretch of road, transforming a scenic, agricultural landscape into an industrialised zone.
2. **Noise Pollution:** BESS facilities, while they may seem passive, often generate low-frequency humming noises from the cooling systems required to keep the batteries operational. This can be a nuisance for nearby residents, affecting their peace and tranquillity.
3. **Traffic and Road Safety:** The proximity of the proposed site to Levedale School raises serious concerns about increased traffic during the construction and maintenance phases. This could pose significant safety risks to schoolchildren and other pedestrians.
4. **Environmental Concerns:** The construction of a BESS facility may have significant environmental implications, including potential contamination risks to the groundwater and local waterways, disruption to local fauna, and the potential for soil erosion.
5. **Fire and Safety Risks:** Battery storage facilities carry inherent fire risks. A fire at such a facility, given its proximity to local farms and residences, could have devastating consequences.
6. **Visual Blight:** The infrastructure required for BESS ? including security fencing, CCTV, and lighting ? would create an unsightly blot on the landscape, detracting from the visual appeal of the area and potentially impacting property values.
7. **Cumulative Impact:** Given the proposed solar farm, the combined impact of both the solar farm and BESS could be overwhelming for the local community, both visually and in terms of infrastructure strain.

### **KMC Legal (Objects)**

**Comment submitted date: Thu 28 Sep 2023**

I write on behalf of my clients who are long-term residents, including the resident living at the entrance to the proposed battery storage plant site at Leavedale. I hereby submit my objection against the proposed development, particularly highlighting the severe and recurrent flooding issues that plague the entrance of the said site, posing significant risks to residents and road users alike.

#### **1. Documented and Recurrent Flooding Concerns**

Over the past three years, the condition of Levedale Road, especially near the proposed site entrance, has deteriorated due to persistent flooding. My client has reported this issue on at least six separate occasions to the authorities, and despite these repeated notifications, no remedial action has been undertaken. Such persistent flooding problems not only pose a direct risk to vehicular and pedestrian safety but also attest to the lack of appropriate infrastructure in the vicinity of the proposed development. Placing concrete on the higher

ground where the site is proposed, will only increase the issue. A

We have provided a video, taken by my client, which offers undeniable evidence of the flood conditions on Levedale Road. This footage was captured less than 100 metres from the proposed entrance to the battery storage facility. The extent of the flooding clearly showcases the inadequacy of the current drainage system and the potential dangers it could pose if there were an increase in traffic volume.

## 2. Implications of Increased Traffic

The introduction of the battery storage plant will inevitably lead to an increase in vehicular traffic, be it for construction, maintenance, or other operational needs. Given the existing flooding issue, coupled with the potential for increased traffic, we have grave concerns about the safety and viability of the access route to the proposed facility.

Roads that are prone to flooding are hazardous. They can mask potholes, reduce vehicle traction, and increase the risk of aquaplaning. With more vehicles, especially heavy construction vehicles, using a flood-prone road, the risk of accidents escalates significantly. Moreover, frequent waterlogging can exacerbate road wear and tear, leading to higher maintenance costs and further disruptions.

## 3. The Duty of Care to Residents and Road Users

Before green-lighting any development that could amplify traffic on Levedale Road, it is imperative to consider the welfare and safety of those who use it daily. Residents, pedestrians, and other road users should not be subjected to heightened risks due to inadequate infrastructure and poor road conditions.

It is the duty of the planning authority to ensure that any development, especially one of this scale, does not exacerbate existing problems or create new hazards. The current state of Levedale Road, as evidenced by the provided video, is not conducive to handle increased traffic flow safely.

## Conclusion

In light of the above concerns and the clear evidence of flooding presented, we strongly urge the Planning Committee to properly consider the proposal for the battery storage plant at Leavedale. It would be imprudent to proceed without first addressing the recurrent flooding issues and ensuring the safety of all road users.

Ensuring the welfare of the community and maintaining the integrity of our infrastructure should always be paramount. We hope the Planning Committee will take these concerns into serious consideration when assessing the viability and appropriateness of the proposed development.

Thank you for your attention to this matter.

**Comment submitted date: Thu 28 Sep 2023**

Further to my previous emails on behalf of our clients; Please kindly review, update the file and add the following Objection to Levedale BESS and Preston Solar Farm: Necessity, Strategic Direction, and Site Appropriateness

1. UK's Shift to Net Exporter of Electricity: As highlighted by the Drax Electric Insights report, the UK exported an impressive 5.5TWh of power to Europe in Q2 2022. This significant milestone prompts us to question the pressing need for more expansive energy generation projects, particularly those that come at a considerable environmental and community cost.

2. Local Impact and Inappropriateness of Site Selection: The decision to situate energy projects near a road lined with beautiful high-value homes, a special needs school, and areas of historical significance seems to neglect the cultural, social, and financial impacts on the community. Such placements not only risk depreciating property values but also threaten the tranquillity, aesthetic, and safety of an area cherished by its residents.

3. Accountability of Madders Family: It's puzzling why the Madders Family would choose not to situate these energy projects closer to their farm or residence, but instead near pivotal community landmarks and homes. This decision warrants further scrutiny and brings forth concerns about profit motives taking precedence over community welfare and environmental considerations.

4. UK Energy Strategy & Solar Farming: Solar energy can indeed provide a significant renewable energy source. However, with the UK now positioned as a power surplus nation, the emphasis should shift to maximising efficiency, bolstering energy storage in appropriate locations, and ensuring minimal environmental and community disruptions.

5. Battery Energy Storage System (BESS) Relevance: BESS facilities store energy during low-demand periods and release it during high-demand instances. Given the UK's current position of power surplus, the urgency of establishing such facilities?especially in sensitive locations?comes into question.

6. Commercial Interests vs. Community Well-being: The developments of Levedale BESS and Preston solar farm seem tailored more towards commercial gains than genuinely meeting the UK's energy needs. Branding such facilities as "green" often overlooks their extensive footprint, potential degradation of prime agricultural land, and adverse effects on local communities.

7. Strategic Recommendations for Local Authorities: In light of the UK's shifting energy dynamics and its latest achievements in electricity export, it is imperative for local authorities to reassess the urgency and relevance of approving projects like Levedale BESS and Preston solar farm. Decision-making processes must emphasize comprehensive assessments, prioritize community welfare, and safeguard agricultural and historically significant lands.

By choosing such a sensitive location for these projects, it's evident that more than just the environmental and energy considerations are at stake. The cultural, historical, and social

fabric of the community must be preserved and protected, ensuring that residents don't bear the brunt of decisions that prioritise commercial interests over community well-being.

**Comment submitted date: Thu 28 Sep 2023**

On behalf of concerned local residents, we submit this preliminary formal objection regarding the proposed Battery Energy Storage System (BESS) in Levedale. With the recent (with the week) addition of over 40 documents to the planning portal, we stress that this is an initial review. A comprehensive examination incorporating expert-led reports will follow.

**Key Objections:**

**1. Commercial Practices & Misrepresentation of Green Energy:**

- Trading Electricity for Profit: It's vital to elucidate that the BESS, while branded as a sustainable solution, operates predominantly on commercial principles. This system buys energy, potentially generated from non-renewable sources, when prices are low and resells when prices surge, functioning essentially as an energy trading enterprise rather than a green energy solution.

- Carbon Footprint & Efficiency Disparities: Manufacturing batteries have a significant carbon footprint. Coupled with energy inefficiencies in the BESS operation, it casts doubts on its touted environmental benefits.

**2. Traffic, Safety, & Accessibility:**The prospective surge in vehicular traffic during and after construction presents pronounced safety concerns. Our reservations extend to the obstruction of not only the general public but also the emergency services. Initial highway indications appear to inadequately address these looming challenges.

**3. Environmental and Landscape Degradation:**

- Loss of Agricultural Land: The proposed site, marked as ALC 3, signifies valuable agricultural land. Its transformation to an industrial entity contrasts starkly with local and national aspirations to conserve and optimize agricultural terrains.

- Deforestation Concerns: Plans currently point to tree removal, aggravating ecological and aesthetic concerns.

- Environmental Risks:The site's vicinity to an SSSI and potential threats of water pollution necessitate meticulous scrutiny.

**4. Economic Repercussions:**The anticipated ecological adversities are compounded by potential economic setbacks, chiefly concerning tourism. The envisioned industrial alteration might deter visitors, affecting a pivotal community revenue source.

**5. Council's Objectives & Policy Discrepancies:** The envisioned BESS sharply conflicts with the South Staffordshire Local Plan's spirit. This encompasses sustainable rural growth, environmental safeguarding, and the overarching goal to shield agricultural lands, resonating with national policy objectives.

In culmination, this objection echoes the profound community sentiment. Their lifelong

commitment to the region's ecological, cultural, and visual values remains paramount in this objection's essence.

We anticipate this will be promptly uploaded to the planning portal and accorded the weighty consideration it merits.

**Comment submitted date: Thu 28 Sep 2023**

We are penning this email on behalf of our clients, as previously set out a dedicated cohort of professionals who have served their community for decades.

They comprise esteemed veterinary surgeons, teachers, nurses, senior police officers, solicitors, farmers and more, they have almost exclusively worked in the locality and served this community, and they will endeavour to protect it at all costs. All of whom, either through inheritance or sheer dedication and hard work, have invested their lives and earnings into building homes, nurturing families, and establishing roots in this treasured countryside.

The purpose of this email objection is twofold: first, to articulate the potentially devastating consequences of the proposed development at the Battery Storage Site ; and second, to underscore the ethical and legal grounds that underscore their objections.

### 1. Deep-Rooted Emotional and Financial Investment

The essence of the local community is shaped by those who live within it. Our clients are individuals who have made personal, professional, and financial sacrifices to cultivate a serene, countryside lifestyle, and build or improve homes that harmonise with the area's natural beauty. The prospect of an 'industrial park' in lieu of open fields is an affront to their lifelong efforts.

While planning considerations may sidestep property value, common sense?and a slew of reports?indicate that such developments can depreciate property values by up to 40%.

This poses not just a financial loss, but a moral dilemma. Can the council and planning committee, in good conscience, jeopardise the hard-earned assets of community pillars, while benefiting distant landowners with no vested interest in the community's well-being, it is clear that the Madders Family are not part of the Levedale and Longridge Community, they live many miles away and are not connected to anyone effected in any significant way, they simply appear not to care is the view of our clients, especially when considering their correspondence yet they with large faceless corporations seek to completely re shape and monopolise its structure?

### 2. The Humanitarian Argument

Aesthetic degradation aside, there's a looming threat to the auditory tranquillity and natural biodiversity, both crucial to the mental well-being of residents. Moreover, the envisaged 'battery or solar power road' elevates risks for pedestrians, cyclists, horse riders, and motorists alike.

From a rights-based perspective, Article 1 of the First Protocol to the European Convention on Human Rights protects the peaceful enjoyment of possessions. While this isn't an absolute right, any interference must strike a fair balance between the demands of the general interest of the community and the individual's fundamental rights. Given the deep-seated adverse impacts on residents' lives, it is debatable if such a balance is achieved here.

### 3. Case Law and EU Legislation

In the landmark case of *George v. United Kingdom* [2003] 37 EHRR 3, the European Court of Human Rights observed that serious environmental nuisances could violate the right to respect for the home, protected by Article 8 of the Convention. Although this case dealt with noise pollution, its principles could extend to the detrimental changes poised by the development.

Furthermore, the Aarhus Convention, ratified by the UK and integrated into EU legislation, strengthens the role of public participation in environmental decision-making. Residents and community members, therefore, not only have a moral right but a legal standing to engage in, influence, and object to decisions that will shape their environment and, by extension, their lives.

### 4. In Pursuit of Compassion and Equity

The two main beneficiaries of the proposed development, both farmers, remain insulated from its repercussions, while reaping its financial gains. This isn't just an imbalance; it's an injustice. Residents, conversely, stand to lose tranquillity, safety, property value, and peace of mind. Equity, fairness, and compassion demand we acknowledge these asymmetries and act in the broader community's interest.

### 5. Conclusion

In weighing the merits of the proposed Battery Storage site, we urge the Planning Committee to see beyond mere technicalities and embrace the broader human implications. We request the Committee to stand with our clients, preserving the integrity of their investments, the sanctity of their homes, and the harmony of the community they've lovingly fostered.

As guardians of the community's future, the Planning Committee's decisions will indelibly mark the area's trajectory. We humbly submit that it veers towards preserving the rights, values, and well-being of its most dedicated residents.

#### **Comment submitted date: Tue 26 Sep 2023**

On behalf of the local residents outlined in prior communications, we convey their profound objections concerning the proposed development by Anglo Renewables Ltd for a Battery Energy Storage Site at Levedale Road, Penkrige, ST18 9AH.

#### **Permanent Loss of High-Quality Agricultural Land & Environmental Implications of Concrete Usage:**

The proposed development threatens to transform a significant tract of prime agricultural land with tons of concrete.



The sheer volume of concrete raises pertinent questions: How many tonnes are intended to be poured onto this fertile ground? Can land suffocated by such substantial concrete layers feasibly be reverted to its original agricultural state in future decades? The UK's commitment, reflected in Section 170 of the National Planning Policy Framework (NPPF), to safeguarding valued landscapes and soils seems at odds with such irreversible interventions. Precedence in *R (on the application of Barkas) v North Yorkshire County Council* [2014] UKSC 31 further accentuates the rationale for preserving such invaluable agricultural spaces.

#### Environmental Impact and the Degradation of Rural Character:

The ostensible green objectives of the BESS cannot overshadow the projected infrastructure's substantial impact on the prevailing pastoral character. Section 15 of the NPPF and the ruling in *R (on the application of Heather & Ors) v Secretary of State for the Environment, Food & Rural Affairs* [2000] 3 CMLR 205 insist on exhaustive Environmental Impact Assessments for developments, especially within untouched rural contexts.

#### Gross Oversight of Local Heritage and Residential Impact:

The applicant's failure to acknowledge Longridge House, a Grade 1 listed asset accepted by the council, is disconcerting. This glaring omission not only compromises the thoroughness of their evaluations but also underscores the potential harm to this historical site. The presence of a school for special needs children at Longridge further accentuates the potential adverse impacts. Reference to *South Bucks District Council v Porter (No 2)* [2004] UKHL 33 highlights the necessity of preserving the sanctity of residential and heritage settings.

#### Road Safety Concerns, Local Incidents, and Lack of Awareness by the Applicant:

Although I am instructed by my clients, on a personal note, while driving our company mini, I experienced a harrowing incident on the route to the site. A Wells Farm lorry squared me up against the hedge, wedging me in completely. Although only causing cosmetic damage, the incident was traumatic, causing a feeling of utter helplessness and panic, I can imagine how an elderly person or young would feel, I have my HGV and am a confident driver. Many accidents of this nature, common in this rural setting, often go unreported to authorities, especially if emergency services aren't called directly, thus bypassing police involvement.

Several local residents can, and will, attest to the frequency of such incidents, providing first-hand evidence. The apparent lack of local knowledge by the applicants is a glaring oversight, further emphasized by the fact that the landowners do not reside anywhere near the farmland in question.

#### Flood Risk, Historical Flooding, and Environmental Reckoning:

Levedale Road has historically suffered significant flooding, notably during the period strawberries were cultivated on the land under consideration. If polytunnels induced such flooding, it's daunting to fathom the ramifications of expansive concrete surfaces and structures accelerating water runoff. This intensified runoff potentially exacerbates flooding risks for the region. The mere classification of the site within Flood Zone 1 should not preclude an exhaustive Flood Risk Assessment, especially in light of prior flooding instances. The judicial stance in *R (on the application of Mott) v Environment Agency* [2018] UKSC 10

resonates with our assertion that environmental assessments demand rigor, depth, and foresight.

#### Future Commissioning of Expert Reports:

We are primed to commission specialised reports on behalf of our clients once the applicant's documents are accessible online. This proactive measure will ensure our experts are suitably informed to provide an in-depth critique of the proposed development.

In summation, the UK's drive for a sustainable future should not trample over local sensitivities, environmental sanctity, and heritage treasures. Our stance, bolstered by the NPPF, established case law, and statutory provisions, demands a holistic evaluation of this proposal. We expect these objections to be duly recorded, and we await a comprehensive reconsideration.

Further, once the disclosure of the applicant's reports is received, we shall be making pertinent comments on each aspect where relevant.

#### **Comment submitted date: Tue 26 Sep 2023**

Further to our previous communication, and on behalf of our clients, we wish to provide a more comprehensive detailing of concerns pertaining to the proposed battery storage plant.

We believe it is essential to take a holistic view of the issue, which involves drawing from various reliable resources and databases to underscore the considerable risks and uncertainties tied to such projects, my team have taken instructions and will be expanding on the below, but as a starting point we flag on behalf of our clients the following objections.

We direct the decision makers in relation to this application to the below:

#### Additional Databases and Articles:

- BESS Failure Event Database: This extensive database documents numerous incidents connected to battery storage systems, offering a robust overview of the myriad risks associated with battery energy storage systems on a global scale.
- Global Fire Database: As a crucial reference, this collection of incidents, combined with expert analysis, grants a broad understanding of fire risks linked to battery storage installations. Such insights are essential when deliberating on the feasibility of such technological installations. It should be noted there were no less than 65 reported serious incidents and serious fires for BESS world-wide record, each article should be considered we are currently translating some of them given they are not in English.

Articles on UK-Based Incidents: We cannot overlook specific cases like:

- The fire at a 20MW UK battery storage plant in Liverpool. <https://www.energy-storage.news/fire-at-20mw-uk-battery-storage-plant-in-liverpool/>
- The extensive Merseyside fire, requiring 59 hours of efforts to douse. <https://www.dailymail.co.uk/news/article-10680335/Huge-Merseyside-blaze-took-59-hours-extinguish-caused-explosion.html>

- The incident involving a fire breaking out in a lithium battery storage area.  
<https://thiis.co.uk/fire-breaks-out-in-lithium-battery-storage-area-at-careco-mobility-equipment-warehouse/>

Liverpool Fire Incident Report: Scrutinising the Significant Incident Report (SIR) from the Liverpool incident paints a distressing picture. Points of particular concern include the emergence of BESS sites, gaps in risk information, explosion potential, concerns about residential proximity, the peril of thermal runaway, environmental hazards stemming from firefighting efforts, and the composition of the smoke emitted during such incidents.

-Of course Liverpool being a city would be far better equipped to deal with such matters than Penkridge/ Stafford.

-Liverpool Fire Incident Report - Key Takeaways and Implications:

- Explosion Potential: The report highlights an alarming explosion that occurred before the fire crew's arrival, propelling debris between 6 and 23 meters from the origin. Such explosive potential is not just a danger to immediate infrastructure, but also to emergency responders and nearby residents.

- Inadequate Risk Information: The Operational Risk Information available for emergency crews was found insufficient. It's concerning to think that if such a lapse could happen in Liverpool, a similar oversight might occur at Levedale, putting our responders at grave risk.

- Residential Proximity: The close location of residential areas next to the Carnegie Road BESS site amplifies the potential fire risks. With Levedale also having neighbouring residences, the report's findings only bolster the concerns of - - Thermal Runaway: This phenomenon, where Li-Ion cells undergo uncontrollable self-heating, poses significant risks. The dangers of off-gassing, fire, or even explosions are real and often underestimated.

- Environmental Hazard from Firefighting Run-off: The firefighting efforts led to the release of Hydrofluoric Acid (HF) as a by-products when water interacted with the cells. This toxic substance's presence in the environment can have profound consequences.

Environmental and Waterway Concerns:

-Water Contamination: The proximity of the proposed site to the River Penk, combined with the potential for hazardous run-off, cannot be understated. Any contamination could quickly spread throughout the national river network, posing a danger to both aquatic life and human communities downstream. Considering the vast network of local ditches, ponds, land drains, and streams, the environmental implications are vast.

-Land Drain Testimony: Mr. Higginson, a local resident and farm contractor, has first-hand experience and knowledge of many of the drains in the area, having installed several of them. His testimony indicates that these drains directly feed into the local pools, ditches, and streams, further emphasizing the risk of contamination.

HSE Guidance and Consultation:

-It is crucial to ensure adherence to, if not exceed, HSE guidelines. The current absence of an HSE consultation on the project's portal, a statutory requirement, is deeply concerning and leaves much room for speculation and doubt.

Uncertainty about Ownership and Management:

-Without clear knowledge of the controlling body, it is challenging to ensure proper risk management, safety protocols, and accountability, making the proposed plant a potential liability.

Direct Comparison of previous fires and issues with the Proposed Levedale Site:

-Fire Services: Given the intricacies mentioned, the Penkrige fire station's current capabilities come under scrutiny. Handling sophisticated fires emanating from BESS sites necessitates specialised equipment and training.

-Infrastructure Concerns: The Levedale road network might be ill-equipped to facilitate quick emergency responses. This infrastructure constraint, combined with the potential fire risk, could culminate in devastating consequences.

-Environmental Impacts: The aftermath of BESS fires presents notable environmental challenges. The potential release of hazardous substances into local waterways, including local ditches, ponds, land drains, and streams, poses an immediate and significant threat. Given the site's proximity to the River Penk, contaminants could extensively infiltrate our national river network. We intend to prepare exhaustive reports, with the guidance of experts, on waterways, drainage, and potential environmental consequences. Further, evaluations of emergency services and response times will also be conducted. These will supplement the reports we previously mentioned.

Considering these deepening concerns, our clients wish to reiterate their reservations about the proposed battery storage plant. We would ask that you kindly assist in ensuring that your comments and insights, along with our concerns, are added to the public commentary and presented to the planning committee's files for a comprehensive review.

In the interest of the broader community, our clients earnestly hope that the planning committee, with your guidance, will thoroughly examine these concerns and reconsider the proposed development

**Comment submitted date: Tue 26 Sep 2023**

On behalf of my clients, they have provided a photo to show a tangible picture of their concerns on the Levedale road for both applications when considering the HGV's for each site and the transport links, this is within the first couple of meters of the start of the road, it clearly shows that two large vehicles cannot pass without mounting the pedestrian pavement? This is not the narrowest part of the road and a full highways report for both applications before you will be provided.

Our clients would like the picture logged on both application files please.

**Comment submitted date: Tue 26 Sep 2023**

Please note that we also represent Mr and Mrs Emmerson of .... which will be directly opposite the proposed site and overlook the same. They will send more detailed representations as they are heavily impacted, but in short, the concerns over the dangers of the site when they have horses and animals and are in what maybe a contamination and

explosion zone. They have a large pond with many high value Koi fish which they are aware houses newts, there is a concern about preserving. Mrs Emmerson also points out that her bedroom looks over the proposed area and she has sighted, rabbits, hares, badgers, barn and Tawny Owls, Foxes, bat and many birds, she has seen hedgehogs in her garden so knows they are local, she is concerned about the road for all reasons set out in this objection document below, she has had an equestrian related injury due to lorries on the road and is very concerned about more lorries passing her home.

Mrs Emmerson confirms as long as she has lived at her home, in excess of 20 years and has witnesses a diverse span of differing crops growing on the proposed development site.

She also makes it clear that she has had NO notification of any nature of the proposed plans, despite us noting today that the initial application was in February 2023.

**Comment submitted date: Thu 21 Sep 2023**

I hope this message finds you well. We are fully instructed by the following key residents, simply for your record and this email is on their behalf:

- o Mrs Williams
- o Mrs and Mrs CFP McCreath
- o Mr A McCreath
- o Mr and Mrs G Pliva
- o Mr Robert Higginson
- o Mrs and Mrs Barrow
- o Mr and Mrs J Salmon

**OBJECTION TO PLANNING APPLICATION ST5050P - LEVEDALE ROAD ANGLO RENEWABLES LTD**

Prepared on Behalf of Concerned Local Residents

**1.0 INTRODUCTION**

1.1 This comprehensive document encapsulates the deep-rooted objections of local residents regarding the planning application for the proposed battery energy storage facility and substation on land southwest of Levedale Road, Penkridge. Grounded in UK planning law and buttressed by pertinent case law and jurisprudence, we vehemently challenge the proposal, bringing to light profound human, environmental, heritage, and safety implications.

**2.0 LANDSCAPE, HERITAGE, AND HUMAN IMPACT**

2.1 The application significantly overlooks historic assets such as Longridge House, indicative of a superficial comprehension of the site's history.

2.2 The threat of a pristine landscape metamorphosing into an industrialised blot, evocative of a prison or stark industrial park, is a cause for distress for the community, many of whom have lifelong memories tethered to the locale.

2.3 The concurrent stress of three substantial planning applications on this road has elevated anxiety levels and physical distress among residents. Their long-standing emotional bonds with the landscape and their investments in their homes are now overshadowed by the looming spectre of industrial transformation.

**3.0 ESSENTIAL DOCUMENTS ABSENT**

3.1 The conspicuous absence of integral documents, especially the 'Transport Report' and 'Noise Report', is deeply disconcerting. Their submission is non-negotiable for an in-depth evaluation and to foster trust in the planning procedure.

#### 4.0 DESTRUCTION OF PRIME ARABLE LAND

4.1 The development stands to obliterate valuable arable land, historically indispensable for crop production and emblematic of the community's agrarian heritage.

#### 5.0 ALARMING BATTERY STORAGE RISKS

5.1 The proximity of battery storage to residential areas and schools introduces grave safety apprehensions.

5.1 Battery storage facilities, such as the one proposed, are designed to harness power from renewable energy sources and redistribute it to the grid during periods of elevated demand. Undeniably, their conception stems from environmentally driven imperatives. Yet, a meticulous dissection reveals substantial risks that warrant intense scrutiny:

5.1.1 Lithium Hazards: Central to these batteries is lithium, a metal revered for its ability to store vast amounts of energy. However, its very essence carries inherent risks:

a) Overheating: If lithium overheats, the ramifications can be catastrophic. There's potential for an explosion, turning these facilities into latent epicentres of danger. The proximity of such volatile installations to residential zones amplifies these concerns manifold.

b) Flammable Electrolytes: The electrolytes within these batteries are highly flammable. When ignited, they can not only produce a fire but perpetuate it with alarming intensity. The resulting conflagration could cascade, consuming infrastructure, flora, fauna, and posing life-threatening situations for humans in its vicinity.

5.1.2 Comparative Analysis with Bomb-like Dynamics: To visualise the potential devastation, it's akin to a bomb detonating.

The explosion would not only have immediate fire-related dangers but would also release toxic fumes, endangering health and complicating firefighting efforts.

5.1.3 Intrinsic Connection to Solar Farms: It's hard to overlook the symbiotic relationship between this proposed battery farm and the solar farm project at Preston Hill, especially given the shared land ownership. Their tandem operation, although environmentally strategic, raises questions about the consolidated risk they introduce to the area.

5.1.4 Historical Precedents: There have been documented cases globally where battery storage facilities have malfunctioned, leading to fires and subsequent devastations. The lack of long-term data on large-scale facilities exacerbates unpredictability and unease.

5.1.5 Safety Protocols and Contingency Measures: Any proposal of this magnitude and inherent risk must be accompanied by comprehensive safety protocols.

5.1.6 This includes state-of-the-art fire suppression systems, rigorous routine inspections, and well-rehearsed emergency response plans. Given the potential fallout, every imaginable safety measure should be non-negotiable.

5.2 In summary, while the intention to support renewable energy is laudable, the palpable risks associated with large-scale battery storage cannot be relegated to the background. They demand focused attention, rigorous risk assessments, and unwavering safety commitments. Given the community's proximity, the stakes are sky-high.

5.1.3 Water Contamination: Possible leaks could imperil the local water supply. Comprehensive risk assessments for such incidents are glaringly omitted.

5.1.4 Noise Impact: With a special needs school in the vicinity, the detrimental effects of persistent noise cannot be ignored.

#### 6.0 CONSPICUOUS LACK OF CONSULTATION

6.1 The paucity of consultation with residents stands contrary to the principles of transparency and robust public participation, eroding trust and heightening unease.

#### 7.0 WILDLIFE IMPACT

7.1 The rich biodiversity of the site deserves unwavering safeguarding. Documented sightings of protected species like crested newts mandate rigorous ecological appraisals.

#### 8.0 INFRASTRUCTURE AND TRAFFIC STRAIN

8.1 The aggregate effect of this proposal and the other solar farms could severely strain local infrastructure, particularly roads unprepared for surging traffic.

#### GENERAL POSITION:

#### 9.0 BATTERY STORAGE: DISSECTING MYTHS AND REALITIES

9.1 Myth of Green Energy: One of the primary misconceptions orbiting battery energy storage systems is their portrayal as sources of green energy generation. This is a fundamental error. In reality, these systems merely store energy that has been generated already, often from a cocktail of sources such as coal, gas, and nuclear. Strategically, they purchase energy from the National Grid during periods of low prices, and then resell it during high-demand hours, thereby acting more as an energy stock trader than a green generator. This operation starkly diverges from the Local Plans, which promote genuine renewable energy solutions.

9.2 Carbon Intensity of Battery Manufacture: The underbelly of the battery technology, often eclipsed in the discourse, is its carbon-intensive manufacturing process. Our clients believe that contrary to any emissions reduction promises, the facility would result in a net GHG emission increase of CO<sub>2</sub> per kW hour when delivering electricity to the grid, an expert will be instructed to review the position, as of course they are not able to quantify this.

9.3 Inefficiencies in Energy Storage: Storing energy in these batteries is not a one-to-one process. Significant energy is dissipated during the charging and discharging process, leading to wastage, amplifying concerns over the viability and efficiency of such projects.

9.4 Traffic Implications: The servicing and maintenance demands of these units will invariably surge road traffic, a concern especially amplified during the construction phase, this needs to be considered with the other plans proposed for the solar farms.

9.5 Fire Hazards and Obscured Battery Types: There remains an alarming ambiguity about the types of batteries proposed for the site. Batteries, particularly lithium-ion ones, are documented fire hazards. Instances from locations such as Arizona underscore the gravity, where battery-induced explosions necessitated air evacuations for emergency personnel. In such mishaps, the ensuing fire is often uncontrollable, left to ravage until it naturally exhausts, causing extensive ecological and infrastructural damage.

9.6 There appears to be no consideration of local plans, Renewable & Low Carbon Projects: The battery facility is neither categorically low carbon nor renewably sourced, creating discord with this strategy. Development in the Countryside: The industrial nature of the proposed site would breach this strategy, which seeks to preserve the unique landscapes and environmental aesthetics of the countryside.

9.7 Visual Intrusion and Landscape Impact: Such battery storage sites, encased in nearly tall metal containers, fortified by barriers, would unquestionably tarnish the scenic sanctity of the region, transforming idyllic vistas into industrial spectacles.

9.8 By potentially compromising the region's rural economy, cultural heritage, biodiversity,

and scenic beauty, the proposed project could inflict irreversible damages to the community's fabric.

#### 10.0 FINANCIAL MOTIVATIONS OVER COMMUNITY VALUE

10.1 The Madders family's ties to the Preston Hill solar farm generate questions about transparency. The proposal seems starkly profit-driven, bereft of tangible community advantages.

When juxtaposed against planning policies, case law, and legislation, the proposal's manifold inadequacies are evident. Our clients advocate for Mr. Nutt to embed these objections meticulously.

Unwavering transparent dialogue is vital, given that several residents lack digital accessibility, as such please keep our firm updated on all progress and stages and provide the missing documents from the application as it stands.

#### **Paul And Joanne Mandy (Objects)**

**Comment submitted date: Tue 26 Sep 2023**

This planning proposal 23/00145/FUL was brought to my attention today.

We are the owners of ... We purchased this significant property due to the fact it was surrounded by rural land in relaxing open countryside. It was a life long dream finally realised.

We have invested heavily in the property, the value of which will be negatively impacted to levels we dare not even consider. We cannot even bring ourselves to imagine that massive industrial facility next door.

We would like to object in the strongest possible terms.

This monstrous application surely can't be considered. The sheer scale of the application is breathtaking for such an area!

It does seem unacceptable for many different reasons.

The Highways issues must make it a non starter for one. This is a dangerous road already, members of the public love to come through cycling and walking and enjoying the countryside. The Current use of HGV's is an accident waiting to happen.

Secondly, how can it be justified to wipe out such a large area of countryside. It's can't possibly be in keeping with the area. Such a development must have a significant environmental impact. I'm amazed this is even being considered.

I give notice that should this application be accepted we would be left no other option than to take legal action.

#### **Mr Gary Pliva (Objects)**

**Comment submitted date: Thu 21 Sep 2023**



I would like to STRONGLY OBJECT to the proposed battery energy storage facility near to our property, these lithium battery storage plants have proved to be extremely hazardous where they can overheat and catch fire or even explode as has happened in Arizona severely injuring four firemen. These lithium battery fires can take several days to bring under control and necessitate evacuation of surrounding populations. Fire fighters have to use a particular foam to control these fires which will possibly contaminate ground water or streams and drains and also destroy local wild life. These storage facilities will create noise from the inverters, have to be sited on large concrete bases and have large security fences and be a TOTAL BLOT on our landscape which will be spoilt for ever. I am horrified at the thought of this plant so near to properties and a School

Julian Salmon (Objects)

Comment submitted date: Tue 19 Sep 2023

I would like to formally object to this application on the following grounds:

1. This is not connected to any of the solar farm applications but would increase the road movements of HGV substantially so now on the road we have over 300 acres of solar farms and this development which in effect would triple the amount of HGV traffic that each one is talking about.
2. The solar farms have not yet been approved so why do we need this what is it for
3. Again no consultation has been done with the local community at all.
4. What about the risk of fire and explosion, with the amount of battery fires with brand new car batteries currently escalating exponentially a small fault on a site such as this could be catastrophic and end up with major explosions and serious risk of death to those of us living next to this time bomb, would any of the local councillors or planning officers like this bomb next to their houses?

What has Leavedale done to South Staffs to warrant all of these mega-industrial applications in 1 year, It is absolutely disgraceful that these are being considered at all.

**Mrs Susan McCreath (Objects)**

Comment submitted date: Fri 15 Sep 2023

CONTINUATION....Addressing the Solar Company's Points\*\* : Opting for greenfield over brownfield sites contradicts the ethos of the NPPF. Our countryside isn't merely an asset; it's an irreplaceable heritage for future generations.

Furthermore, I've scrutinised the supporting comments on the application and must highlight that, having lived on this road all my life, many of these individuals are unfamiliar. Their lack of genuine local ties calls into question the authenticity of their support and their genuine concern for the area's ecology.

In no uncertain terms, while the shift to renewable energy is crucial, it should not come at the irreversible cost of our landscapes, wildlife, and community well-being. I urge the planning committee to heed these objections with the utmost seriousness.

**Sue McCreath**

**Comment submitted date: Fri 15 Sep 2023**

I am writing to formally and emphatically object to the proposed solar farm by Aura Power Developments Ltd. My deep-seated connections to this area, coupled with legislative concerns and stark implications of this development, compel me to voice this opposition.

**1. Loss of Agricultural Land and Biodiversity**

**Legislation** The National Planning Policy Framework (NPPF) Paragraph 170 dictates the importance of safeguarding our valued landscapes and sites rich in biodiversity. The case R (on the application of Wright) v Forest of Dean District Council & Another [2019] EWHC 807 (Admin) accentuated the critical role of thorough evaluation in gauging potential harm to the landscape and biodiversity.

**Addressing the Solar Company's Points:** Aura Power's assertion of a 96% projected enhancement in biodiversity does not match the lived realities. Each day, I revel in the wealth of wildlife on my field, which lies adjacent to the proposed site. From badgers to butterflies, from hares to hedgehogs, the vast bird species all attest to the site's biodiversity richness. The assertion of negligible wildlife feels not just erroneous but a direct affront to our cherished habitat.

**2. Significant Traffic and Road Safety Concerns:**

**Legislation:** NPPF Paragraph 109 is unambiguous: any development introducing or amplifying severe safety issues must be blocked.

**Addressing the Solar Company's Points:** Regardless of the Highways Authority's endorsement, local residents' safety concerns remain paramount. Owning circa 20 horses and the field adjacent to the proposed site, as well as sharing the track access, makes me particularly aware of the access peril. With construction traffic, these perils could escalate, endangering residents and the safety of my horses.

**3. Potential Harm to Vulnerable Local Residents:**

**Legislation:** NPPF Paragraph 180 mandates that developments should avoid creating adverse effects on neighbours, particularly in sensitive locales.

**Addressing the Solar Company's Points:** With the solar farm's proximity to a home for children with behavioural challenges and a school for special needs children, potential disruptions could be significantly detrimental to their well-being.

**4. Short-Term Economic Gains vs. Irreversible Costs:**

**Addressing the Solar Company's Points:** While the touted economic benefits are noteworthy, their short-lived nature contrasts starkly with the enduring value of an untouched countryside.

**5. Sacrifice of Countryside and Better Alternatives:**

**Legislation:** The NPPF's promotion of brownfield sites (Paragraph 118) and optimal land use (Paragraph 117) aligns with the precedent set by R (on the application of Friends of Finsbury Park) v Haringey LBC [2017] EWCA Civ 1831.

**Addressing the Solar Company's Points:** Opting for greenfield over brownfield sites contradicts the ethos of the NPPF. Our countryside