STEPHENSON HALLIDAY

Planning, Landscape & Environment
an RSK company

JT ENERGY STORAGE

PROPOSED BATTERY ENERGY STORAGE SYSTEM (BESS)

Planning, Design and Access Statement

JT Energy Storage Ltd (Windel Energy)

May 2025

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Contents

Document history

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1 INTRODUCTION

1.1 Purpose

1.1.1 This Planning, Design and Access Statement (PDAS) has been prepared by Stephenson Halliday Ltd on behalf of JT Energy Storage Ltd (Windel Energy) (the 'Applicant'). The PDAS accompanies the planning application to Cumberland Council ('the Council'), which seeks full planning permission for:

> *'Construction and installation of a Battery Energy Storage System (BESS) and associated infrastructure, landscaping and buried grid cable route'.*

1.1.2 The Proposed Development would be for 30MW BESS and would be located on land to the east of Dalzell Street, near Woodend and between Bigrigg, Cleator and Moor Row in West Cumbria. The nearest postcode is CA24 3LF (NGR: E: 300842, N: 513769). The Application Site (hereafter referred to as 'Site') area is 1.18ha.

1.1.3 Planning permission is sought for a temporary period of 40 years from the date of the first energisation of the battery energy storage facility. At the end of this period the Site will be restored to its current state.

1.1.4 A full description of the proposal is provided in Chapter 3 and hereafter is referred to as the 'Proposed Development'.

1.1.5 The purpose of this PDAS is to assess the Proposed Development against policies within the adopted development plan and to take into account any other material considerations. It also considers the relevant design and access requirements, proportionate to this type of development. It should be read in conjunction with the application drawings and supporting environmental documentation which complete the planning application submission.

1.1.6 The PDAS is organised and structured into the following sections:

- **Chapter 1** – Introduction;
- **Chapter 2** – Site and Surroundings;
- **Chapter 3** – The Proposed Development;
- **Chapter 4** – Design and Access Statement;
- **Chapter 5 –** Public Consultation;
- **Chapter 6** – Planning Policy Considerations;
- **Chapter 7** – Assessment of the Proposed Development; and,
- **Chapter 8** – Conclusion.

1.2 Supporting Documentation

1.2.1 This planning application is accompanied by the following supporting documentation:

- Application Form and Certificates;
- Plans and Elevational Drawings including
  - Site Location Plan (Drawing Ref 030.300.01)
  - Site Layout Plan (Drawing Ref 030.301.05)
  - Inverter Plans and Elevations (Drawing Ref 030.302.01)
  - Battery Plans and Elevations (Drawing Ref 030.303.01)
  - DNO Substation Plans and Elevations (Drawing Ref 030.304.01)
  - Private Substation Plans and Elevations (Drawing Ref 030.305.01)
  - Aux TX Plans and Elevations (Drawing Ref 030.306.00)
  - Spares Container Plan and Elevations (Drawing Ref 303.307.01)
  - Proposed Fence Elevations (Drawing Ref 030.308.01)
  - Water Tank Plans and Elevations (Drawing Ref 030.309.00)
  - Proposed Track Detail (Drawing Ref 030.310.01)
  - Proposed Site Elevations (Drawing Ref 030.311.00)
- Ecological Impact Assessment (EcIA) (Futures Ecology);
- Biodiversity Impact Assessment (BIA) & DEFRA Metric (Futures Ecology);
- Wintering Bird Survey Report (Futures Ecology);
- Arboricultural Assessment (AA) (FPRC Environment and Design);
- Flood Risk Assessment and Drainage Strategy (FRA) (KRS Enviro);
- Historic Environment Assessment (Heritage Archaeology);
- Landscape and Visual Appraisal (LVA) (Stephenson Halliday Ltd);
- Noise Impact Assessment (NIA) (Vibrock);
- Agricultural Land Classification (ALC) Survey (Land Research Associates); and
- Transport Statement and Traffic Management Plan (Beacon Transport Planning).

1.3 The Applicant

1.3.1 Founded in 2018, Windel Energy is a privately held company dedicated to driving the transition towards a sustainable future. Specialising in the origination, development and integration of renewable energy projects and low-carbon disruptive technologies, Windel is at the forefront of the clean energy innovation.

1.3.2 With a portfolio exceeding 5 gigawatts (GW) of clean, renewable power and battery energy storage in various stages of development Windel is at the forefront of low carbon technologies including solar, energy storage, and onshore wind.

1.3.3 Windel Energy adopt a long-term ownership approach, ensuring the efficient operation and management of renewable assets. Leveraging an extensive network of relationships, institutional grade infrastructure and in-house industry expertise, Windel are committed to delivering impactful and enduring energy solutions.

1.3.4 JT Energy Storage Ltd is a Special Purpose Vehicle (SPV) which is 100% owned and funded solely by Windel Energy Ltd.

1.3.5 The Applicant has in place an option agreement inclusive of the lease which has provisions for the reinstatement of the land. Within these provisions there is also a reinstatement fund which will cover all of the reinstatement costs at the end or termination of the lease.

1.4 Environmental Impact Assessment (EIA) Screening Request

1.4.1 Under the Town and Country Planning (EIA) Regulations 2017 (as amended) (the '2017 Regulations'), where development falls under Schedule 2, the need for EIA is determined based on a set of criteria.

1.4.2 Development which falls within one of the classes of development stated in Schedule 2; and, either exceeds the size threshold for that class of development; OR is in a sensitive area as defined by the EIA Regulations; and is likely to have significant environmental effects due to factors such as nature, size or location, is required to be 'screened' as to whether it constitutes EIA Development or not.

1.4.3 BESS is not a type of development specifically listed under Schedule 2 of the EIA Regulations. However, Schedule 2 refers to "Energy Industry" categories. The type of development is therefore considered to fall within Schedule 2 category 3(a) Industrial installations for the production of electricity, steam and hot water, exceeding the threshold of the area of development being over 0.5 ha in size.

1.4.4 It is therefore requested that the Proposed Development is screened by the Council at the point of submission of this planning application to formally establish whether an EIA is required. This request is enabled by Regulation 8(1) of the 2017 Regulations whereby the local planning authority is able to treat the receipt or lodging of the planning application as if it were a request for a screening opinion being made under Regulation 6(1).

1.4.5 The application documentation provides sufficient information to adopt an opinion and demonstrates that the Proposed Development is not likely to have significant effects in the context of the EIA 2017 Regulations by virtue of the characteristics of the development, its

location or potential impacts. Indeed, the Proposed Development would raise no issues that could be considered of more than local importance straightforwardly addressed through land use planning process in England and is not, therefore, deemed to amount to EIA development requiring the submission of an Environmental Statement (ES).

2 SITE AND SURROUNDINGS

2.1 Site Location

2.1.1 The Site comprises land to the east of Dalzell Street, near Woodend and between the villages of Bigrigg, Cleator and Moor Row (NGR: E: 300842, N: 513769). The larger settlements of Egremont, Cleator Moor and Whitehaven are all located within a 5km radius of the Site. The Lake District National Park boundary lies approximately 2.7km to the north-east. The Site is wholly located within the administrative boundary of Cumberland Council.

2.1.2 Access to the site is gained via the existing track taken from Dalzell Street, an unclassified road (U4030) which connects with the A5086 and the A595, approximately 1-1.25km to the south of the Site.

2.1.3 The Site is bound to the east by the former railway embankment which forms part of National Cycle Route 72, a long-distance route which connects Ravenglass, Cumbria with South Shields, Tyne & Wear. To the north and south of the Site is agricultural land. To the western boundary is Dalzell Street.

2.1.4 The Site location and the application boundary is delineated on the Site Location Plan (**Drawing Reference 030.300.00**).

2.2 Site Description

2.2.1 The Site comprises pasture land, which has most recently been used for the grazing of livestock. The main part of the Site is split across two fields, separated by an access track. The Site boundaries are demarcated by hedgerow and scattered trees.

2.2.2 The Site includes the underground cable route to the point of connection at Woodend substation. The proposed cable route would be within the existing carriageway and follows Dalzell Street southwards to the point of connection at Woodend substation. The total Site boundary comprises 1.18ha.

2.2.3 The BESS equipment area, excluding the cable route and field for biodiversity enhancements, is approximately 0.58ha. The area of the triangular field, comprising the northern part of the Site, to be used for on-site delivery of BNG measures approximately 0.32ha.

2.2.4 The setting is rural in character with field boundaries demarcated by hedgerows, mature trees and country lanes. There are no areas of ancient woodland or Tree Preservation Orders (TPOs) within or adjacent to the Site.

2.2.5 The southern portion of the Site, which will contain the main BESS components, is relatively level, with the land rising gently from east to west from approximately 70m to 75m AOD. The northern field is of a similar profile ranging between 71m and 75m AOD. The land in the vicinity of the Site is otherwise gently undulating.

2.2.6 There are no statutory or local environmental designations within the Site boundary, nor is the Site allocated for any purpose within the adopted Development Plan. The nearest environmental designation is the River Ehen (Ennerdale Water to Keekle Confluence) Site of Special Scientific Interest (SSSI), which is located approximately 812m south-east of the BESS equipment area. Other nearby environmental designations include Clints Quarry SSSI

(c.1.5km to the south of the Site), the Lake District National Park (LDNPA) and English Lake District World Heritage Site (WHS) approximately 2.7km to north-east of the Site and the Solway Firth Special Protection Area (SPA) (approximately 6.2km west of the Site).

2.2.7 There are no designated heritage assets within the Site. There are 8 designated heritage assets within 1km of the study area, all of which are Grade II Listed Buildings. There is one non-designated heritage asset, a non-conformist graveyard, which is located partially within the Site boundary but outside the proposed development area.

2.2.8 The Site lies within Flood Zone 1 according to the Government's Flood Risk Map for Planning and therefore has a low probability of fluvial and coastal flooding. The nearest natural watercourse is the River Keekle which is located c.400m east of the Site and flows in a southerly direction before joining the River Ehen. A drainage ditch is located along the southern boundary of the Site.

2.2.9 There are no Public Rights of Way (PRoW) which intersect the Site but there are two located within close proximity. The closest footpath (ref: 403005) runs from Dalzell Street to the north of the Site to the village of Cleator. National Cycle Route 72 also runs along the eastern boundary of the Site using the alignment of a former railway line.

2.2.10 There are very few residential dwellings within the immediate vicinity of the Site. The villages of Moor Row, Bigrigg, Cleator and Woodend are located approximately 1km from the Site.

2.3 Planning History

2.3.1 Prior to the Local Government Reform in April 2023, the Site was located within the administrative area of Copeland Borough Council. The Site is now under the jurisdiction of Cumberland Council as the relevant Local Planning Authority (LPA).

2.3.2 There is no relevant planning history pertaining to the Site itself. In the surrounding area, planning permission has previously been granted for BESS development at a site immediately adjacent to Woodend Substation. The first application (planning permission ref 4/16/2263/0F1) was for an extension to the substation to facilitate grid connected battery storage (with a capacity of 10MW), while the second application (planning permission ref: 4/22/2335/0F1) related to a small extension and modifications to the operational battery storage facility.

3 THE PROPOSED DEVELOPMENT

3.1 Overview

3.1.1 The Applicant seeks full planning permission on land to the east of Dalzell Street, near Woodend and between the villages of Bigrigg, Cleator and Moor Row.

3.1.2 The submitted planning application seeks permission for the following:

'Construction and installation of a Battery Energy Storage System (BESS) and associated infrastructure, landscaping and buried grid cable route'.

3.1.3 The Proposed Development would comprise the following key components along with associated ancillary infrastructure and equipment. It should be noted that the measurements are approximate based on current available technology.

- 16 no. battery storage containers providing a total capacity of 30MW. Each BESS unit typically resembles a storage container, measuring 6m long, 2.5m wide and 2.9m high.
- 8 no. inverter stations measuring 6.1m in length, 2.5m in width and 2.9m in height.
- Spare parts container, measuring 12.2m in length, 2.5m in width and 2.6m in height.
- 2 Substations (which are positioned back to back and read as a single unit):
  - Applicant's substation: 7.5m length, 3.5m width and 3.3m in height;
  - DNO substation: 7.5m in length, 5.35m in width and 3.3m in height.
- Access track comprised of crushed stone.
- Fencing – 2.4m high palisade fence.
- CCTV cameras.
- Water tank: 10.45m depth and 3.9m in height.
- Aux transformer: 4.7m in length, 3.8m in width and 2.4m in height.
- Landscaping and biodiversity enhancements.

3.1.4 In accordance with the Rochdale Envelope Approach, an element of flexibility is required to accommodate future technology and procurement options. It is therefore requested that the layout and equipment details are conditioned, with exact design to be submitted and agreed in writing with the Council prior to construction through the imposition of an appropriately worded planning condition.

3.2 The Need for Battery Energy Storage

3.2.1 As the UK moves forward in the aim of mitigating the effects of climate change and achieving a carbon neutral economy, greener and more sustainable modes of power generation are being introduced, which can be intermittent in character (e.g. Wind and Solar PV). This places demands on the electricity grid where there are fluctuations in power generation and demand throughout the day and at different times of the year.

3.2.2 During periods of high demand, the National Grid aims to increase supply to maintain a 20% supply margin which is essential in eliminating, as far as possible, the risk of power shortages and blackouts when there is an unexpected change in demand or a sudden loss of supply.

3.2.3 Historically, conventional power stations would ramp up electricity generation as and when necessary. Renewable installations are unable to do this, so as the UK moves towards a more environmentally sustainable energy supply system, BESS are essential in assisting the move away from non-renewable forms of energy generation by allowing for the storage of electricity when levels of generation on the network outweigh the levels of demand. The electricity is then discharged immediately back onto the National Grid during periods of higher demand to ensure that any energy generated is not wasted and there is no loss of power to end users.

3.2.4 BESS are identified by the UK Government as 'Critical National Infrastructure'. There are currently not enough battery storage facilities to enable the UK to store the amount of renewable energy needed to effectively decarbonise the electricity system.

3.2.5 BESS do not emit Carbon Dioxide and provide a balancing mechanism, drawing electricity (charging) when levels on the Network are above that of demand. They represent an essential service required to support the roll out of renewables, providing flexibility and rapid response times, offering a solution to the National Grid's balancing issues. Thus, they support the development and deployment of low carbon intermittent energy technologies upon which society must increasingly rely upon to satisfy its energy requirements and address climate change. Further, they defer or avoid the need for costly network upgrades and new generation capacity.

3.2.6 The need for significant growth in storage capacity to balance a grid increasingly reliant on domestic renewable energy generation is recognised by government and is now well-established in strategy and policy papers assessing our future energy needs. These documents are described in detail at **Appendix 1**, with the British Energy Security Strategy (2022) and the Clean Power 2030 Action Plan (2024) building on the advice of the National Energy Systems Operator (NESO) and emphasising the importance of grid-scale battery storage for our future energy-mix and the urgent need for a considerable increase in capacity over the coming years to meet net-zero targets.

3.3 Development Components

3.3.1 BESS need to be located in the vicinity of District Network Operators (DNO) or Grid Substations to limit the electrical loss, ensure greater efficiency and ensure a viable commercial model. Following the identification of the land parcel, survey work has been undertaken in order to refine the location of the BESS deployment area and substation compound within the land parcel.

3.3.2 BESS developments are typically utilitarian in appearance given their function of storing and exporting electricity which requires the appropriate technical equipment housed in containers. Nevertheless, the design has sought to respond to the Site and its surrounding context where possible while maximising storage capacity.

3.3.3 The Site itself is relatively small for a development of this type and consists of relatively level fields, therefore offering limited scope to tweak the design and layout while maintaining a viable output. Notwithstanding this, constraints were identified at an early stage and the design modified accordingly. For example, a setback has been incorporated adjacent to the national cycle route to enable sufficient space for landscape planting to soften the visual impact on users of the route. Trees and hedgerows have also been retained across the Site to protect the existing landscape character and field patterns as much as possible, such as through utilising an existing access point. The design evolution process is explained in greater detail in Chapter 4 of this PDAS.

Battery Containers

3.3.4 The battery containers are a main component of the Proposed Development. They charge and store energy from the Grid when supply is higher than demand and release this back for use when demand is higher than supply, supporting the High Grid Transmission network.

3.3.5 The proposed indicative layout accommodates 16 battery containers. The indicative unit details are shown on **Planning Drawing 030.303.00** Indicative foundations are shown, positioned on a concrete plinth/stone. The front and rear elevations shown are the ends of the containers. The side elevations would be the same in appearance. A plan view is also detailed. The battery containers would be finished in a colour to be agreed with the Council.

3.3.6 In addition to the BESS containers, one spare parts container is required. **Planning Drawing 030.307.00** provides further details. The container would be located on a concrete plinth foundation, within the substation compound, measuring approx. 2.6m in height.

Transformers / Inverters Blocks

3.3.7 Inverter Blocks are needed to convert electricity bi-directionally from AC to DC when the batteries within the BESS are charging, and from Direct Current (DC) to Alternating Current (AC), in order to export electricity back to the National Grid.

3.3.8 A total of 8 inverters are proposed across the BESS deployment site. The proposed inverter blocks are shown in **Planning Drawing 030.302.00.** The drawing provides the indicative dimensions, with the detailed design to be controlled via a planning condition. Within the BESS deployment area there is also a back-up auxiliary transformer.

On-site Substations

3.3.9 An indicative layout and elevational sections of the on-site substations is provided. There are two areas split for the Switchgear Compound and HV Compound. **Planning Drawings 030.304.00 and 030.305.00** for the elevations of the on-site private and DNO substation and are provided**.**

Water Tank

3.3.10 A water tank would be installed immediately adjacent to the BESS deployment site to store an onsite supply of 223,000 litres of water for potential firefighting, exceeding that required in guidance published by the National Fire Chiefs Council (NFCC, 2022) for Grid Scale BESS. The onsite supply would be capable of discharging 1900litres/min for 2 hours. Proposed elevations are shown in **Planning Drawing 030.309.00.**

Underground Cabling

3.3.11 Medium voltage electrical cabling is required to connect the site infrastructure, connecting the battery containers to the transformers / inverters and to the on-site substation. These distribution cables would be underground in trenches.

3.3.12 The overall length of the buried grid connection cable route from the proposed BESS equipment site to connect to the point of connection at Woodend substation is approximately 0.9km. The cable used is a modern polymeric insulated cable which is not and oil based insulation. The grid connection cable route would exit the BESS deployment site to the west and travel south along Dalzell Street within the existing carriageway; there is no requirement to use grass verges.

Security

3.3.13 Security fencing is required around the perimeter of the proposed BESS infrastructure (deployment area and compounds) as shown on the proposed site layout plan and the fencing elevation (**Drawing References 030.301.04 and 030.308.00**).

3.3.14 The security fencing would be approx. 2.4m in height and the final details (specification and colour) can be controlled via a planning condition. A vehicular access gate is required within the fencing where the access track enters the equipment area.

3.3.15 CCTV infra-red cameras would be required and mounted on poles, sited along the equipment area perimeter fencing at regular intervals and would be inward facing, allowing for off-site security monitoring. The precise details would be confirmed by planning condition.

3.3.16 Lighting required with BESS developments typically consists of passive infra-red (PIR) lighting at the entrances to the various buildings and the storage units, designed as downward facing to minimise any light-spill. This prevents any unacceptable light pollution outside the Site and the potential disturbance of nocturnal species, such as bats. External lighting details can be controlled via planning condition.

3.4 Proposed Site Access

3.4.1 The Site would be accessed via the existing track to the east of Dalzell Street which currently provides access to the landowner's landholding to the east of the Site. A secondary access, for emergency use only, would be provided in the same location as the existing field gate onto Dalzell Street, as illustrated by the Site Layout Plan (**Drawing Ref 030.301.05**).

3.4.2 Access requirements (swept paths) for delivery vehicles have been analysed. Further details of the access arrangement, including supporting figures, are outlined in the Transport Statement, submitted in support of this planning application.

3.4.3 An internal access track with a turning area is required to facilitate the construction and maintenance of the Proposed Development. The track would consist of a layer of permeable, unbound granular material (clean, crushed, and compacted stone/gravel) placed on an underlying layer of recycled aggregate. A cross-section of the access track is set out in **Planning Drawing 030.310.00**.

3.5 Landscape and Habitat Enhancements

3.5.1 Landscape and biodiversity proposals have been developed through the iterative design process. They have been designed to enhance the landscape fabric of the Site and deliver biodiversity benefits. Further details are set out in the accompanying technical assessments.

3.5.2 Existing vegetation would be retained where possible and there would be no tree removal at the Site to accommodate the Proposed Development.

3.5.3 The Landscape Mitigation Plan includes the planting of 10 native trees and native hedgerow and thicket mix to the Site boundaries to provide screening and enhance the biodiversity across the Site. Species rich meadow grassland is also proposed for biodiversity net gain benefits.

3.6 Construction Phase Activity

3.6.1 Construction of the Proposed Development is estimated to take around 6 months.

3.6.2 At this stage it is proposed that construction activities on-site would take place between the hours of 07:00 to 19:00 on weekdays and Saturdays. No construction related activity would take place on Sundays or bank holidays. Any works outside of these hours would be limited to emergency works, unless otherwise agreed in writing with the Council.

3.6.3 A temporary construction compound would be accommodated within the BESS development area to house welfare facilities and allow for the storage of equipment. The compound would likely utilise the area shown for the proposed water tank with this being one the last items to be installed. Full details would be secured as part of the Construction Environmental Management Plan (CEMP) to be agreed via planning condition.

3.6.4 A temporary wheel washing facility would be installed on-site to prevent transfer of soil onto nearby public roads and discharging into highway drains, if found to be necessary.

3.7 Operational Phase Activity

3.7.1 Operational activity within the Site would be minimal with remote monitoring and surveillance undertaken 24/7 and reducing the number of in-person visits required. Routine maintenance checks would be undertaken 1-2 times per month. This would typically involve site operatives arriving in a light van or 4x4 vehicle. Vehicles would park on-site in the dedicated spaces and would not result in any issues on local roads in the vicinity of the proposed Site.

3.7.2 Monthly maintenance visits are anticipated for equipment checks and site management. These regular checks would be undertaken to ensure the BESS units, associated infrastructure and fencing are all in good working order. These monthly visits would incur very few vehicle movements to and from the Site.

3.7.3 The Proposed Development would incorporate management systems to deal with water supply and storage in the very unlikely event of a fire occurring at the Site. This would be further detailed in a Battery Safety Management Plan to be secured by way of planning condition, detailing the processes, procedures and means by which the BESS safety management is to be carried out. Flexibility is sought for this to be provided following the determination of the planning application, as is common practice for BESS developments, given that the specifications are not yet fixed and technology is developing and changing rapidly

3.7.4 Site vegetation management will be in undertaken in accordance with an approved Landscape Management Plan (LMP), which can be secured under a planning condition. Operations would be comparable to common agricultural activities and will typically include the following:

- Cutting existing and newly established hedgerows to the specified heights;
- Maintenance of existing and new woodland and shrub areas;
- Maintenance of BNG enhancements;
- Maintenance of access tracks;
- Buffer zone from fencing vegetation cutting and collection; and,
- General weed control, litter removal and any fence repairs.

3.8 Decommissioning Phase Activity

3.8.1 At the end of the operational life of the BESS facility (anticipated 40 years from energisation), the facility would be fully decommissioned. The decommissioning of the BESS would follow the reverse of the construction phase, however over a shortened timeframe.

3.8.2 During decommissioning, traffic movements can be broadly split into three main categories of:

- Decommissioning workforce movements;
- Delivery of decommissioning plant / equipment; and,
- Removal of BESS equipment and associated infrastructure.

3.8.3 The traffic generated during decommissioning would be similar to that generated, or lower, than during construction. Highway impacts during decommissioning are therefore considered to be the same as for construction.

3.8.4 After the operational phase the Site would be reinstated with electrical connections isolated, and made safe, and left in situ or removed for recycling. All above ground infrastructure, concrete foundations, and cabling would be removed from the Site.

3.8.5 The fields would be restored to their previous land use. A period of aftercare would ensure the successful transition back into agricultural use.

3.8.6 Areas of landscape and biodiversity mitigation and enhancement to the Site boundary and in the northern field would be left in-situ as a positive legacy in association with the Proposed Development.

4 DESIGN AND ACCESS STATEMENT

4.1 Site Selection

4.1.1 There is no national or local planning policy or guidance setting out a requirement for undertaking an alternative site assessment for the location of BESS development. It is accepted that battery storage facilities must be located close to substations in order for a connection to be made. Woodend substation has been identified as having spare capacity for BESS and the Site has been selected due to its proximity to the substation and suitability to accommodate the Proposed Development when factoring in technical and environmental considerations.

4.2 Design Evolution

4.2.1 Following the identification of the site, technical survey work has been undertaken in order to refine the location of the BESS and associated infrastructure within the Site taking account of the local environment and the commercial and operational needs of the Applicant.

4.2.2 BESS developments are by nature utilitarian in appearance due to technical requirements which offers more limited scope to shape the design in line with local distinctiveness than there may be with other types of development. Notwithstanding this, a careful and considered approach has been taken to the layout and positioning of infrastructure within the site including landscaping to deliver a design which, as far as possible within the confines of the Site, responds to the character of the surroundings and provides screening to limit any adverse visual impacts.

4.2.3 The Site layout has been through a design iteration process which has involved discussion with all technical consultants working on the project and has been informed by site survey work and desk assessments. The pre-application consultation responses received from members of the public and key stakeholders, as set out in Chapter 5 of this PDAS, have also informed the proposed site design.

4.2.4 An indicative layout was provided by the Applicant at project inception which was designed to meet the capacity requirements of the grid connection while retaining sufficient space through a dedicated 'BNG field' to deliver on-site biodiversity enhancements, protecting existing environmental assets such as trees and hedgerows and ensuring appropriate offsets from open boundaries to incorporate adequate screening. The layout subsequently went through several rounds of refinement before coming to the design freeze. These are set out in **Appendix 2**. The main amendments include:

- Provision of a greater buffer along the eastern and north eastern boundary to allow additional space for mitigation planting to soften the visual impact on users of the national cycle route which is slightly elevated above the Site.
- Removal of all equipment (other than internal access tracks) from the south-east corner of the Site where the risk of surface water flooding is elevated.
- Changes to highway access to make use of the existing access rather than construct a new access to the south which would require hedgerow removal and would disrupt field patterns.
- Internal reconfiguration of equipment to ensure efficient use of space in a spatially constrained Site.

5 PUBLIC CONSULTATION

5.1.1 Paragraph 40 of the NPPF states that pre-application engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and that *"good quality discussions with local stakeholders enables better coordination between public and private resources and improved outcomes for the community"*. Policy CC1 of the Copeland Local Plan also requires that: *"Proposals will only be considered suitable where it can be demonstrated that the planning impacts identified by local communities during consultation have been taken into account".*

5.1.2 The Applicant's engagement strategy has sought to involve local residents and community representatives in the design process and to engage in dialogue in advance of the formal planning submission. To achieve this, the Applicant launched a dedicated website[1] for the Proposed Development to provide information and gather feedback from the local community. The public website went live on 22 March 2025 and provided an overview of the Proposed Development centred around interactive visual material, information on the Applicant including contact details, FAQs and a feedback form.

5.1.3 A letter was also issued to neighbours on 20 March 2025 outlining the nature of the proposals and the Applicant details, in addition to inviting engagement through responses on the public website and direct contact with the project team via a dedicated email address. The consultation period was from 24 March 2025 to 14 April 2025. A copy of the letter issued to residents is at **Appendix 3** to this PDAS.

5.1.4 The letter was issued to residents within a defined catchment of the Site, which included properties located within the closest villages to the Site. To ensure appropriate coverage, the consultation area followed key roads and residential areas, as illustrated by Figure 1 below.

Plate 1 – Consultation area for resident letters

5.1.5 Pre-consultation engagement also took place with ward councillors representing Cleator Moor West Unitary Authority Ward (wherein the Site is located), together with Egremont North and St

[1] www.JTEnergyStorage.co.uk

Bees Ward, as well as both Cleator Moor and Egremont Town Councils. A stakeholder letter was issued directly to the word councillors and the clerks of both town councils on 20 March 2025.

5.1.6 Feedback was received from local residents in terms of 10 online feedback form submissions, 10 messages through the website ('contact us') form and 5 emails to the dedicated project email address. The feedback form aimed to understand how the local community felt about the Proposed Development and to identify key concerns that could be considered before finalising the plans for submission. It also sought to assess how effectively the consultation process had helped participants to better understand what BESS are.

5.1.7 The key themes raised by the comments from local residents is as follows:

Table 1: Key Themes raised by Local Residents

Theme	Number of comments
Opposition to Site location	5
Project is needed / important for energy security	3
Consultation exercise was insufficient	2
Visual impact concerns	2
Perceived community disruption	2
Mentions of unrelated local solar farm project	2
Concerns about loss of green space or farming land	2
Safety concerns	1
Desire for more community benefit	1

Note: Some respondents mentioned more than one topic, therefore, the number of comments is greater than the number of residents who provided feedback. In addition, not all respondents completed every question on the feedback form.

5.1.8 The most common concern raised was the proposed Site location, with five individuals commenting on this issue. Several of these respondents suggested that alternative locations would be more suitable. Suggestions for other locations included Keswick and Windermere.

5.1.9 During the consultation period, the Applicant became aware of local discussions that reflected a misunderstanding about the perceived link between the Proposed Development and a nearby solar farm development. While only two online feedback form responses mentioned this, the Applicant was aware of broader local conversations on the topic. To address this confusion, the Applicant issued an article and sent an email to local residents to clarify that the two projects are unrelated.

5.1.10 Egremont Town Council has reviewed the proposals at the pre-application stage and have confirmed, in April 2025, that they have no objections to the Proposed Development.

5.1.11 Dialogue with any interested parties will continue during the application process. The Applicant is happy to provide any responses during the application process.

6 PLANNING POLICY CONSIDERATIONS

6.1 Introduction

6.1.1 This section of the Planning, Design and Access Statement identifies the key policies contained within the adopted Development Plan and other material planning considerations pertinent to the determination of the planning application.

6.2 The Legislative Context

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2.2 Section 70(2) of the Town and Country Planning Act 1990 requires that: *"…in dealing with an application for planning permission, the authority shall have regard to the provisions of the development plan, so far as material to the application."*

6.2.3 These legislative provisions are reiterated within the National Planning Policy Framework (NPPF) which sets out at Paragraph 11c that: *"development proposals that accord with an up-to-date development plan should be approved without delay".*

6.3 Adopted Development Plan

6.3.1 The Site is situated within the administrative jurisdiction of Cumberland Council (CC); a unitary authority formed in 2023 which replaced Copeland Borough Council, Allerdale Borough Council, Carlisle City Council and parts of Cumbria County Council.

6.3.2 Cumberland Council is in the early stages of preparing a new Local Plan for the whole administrative area. A Local Development Scheme (LDS) was published in March 2024 and set out a timetable for the preparation of the new Local Plan. The target adoption date is March 2028. Once made, the new Local Plan will supersede current adopted policy and will then comprise the overarching document for decision-making on planning applications across the Unitary Authority. Until that time however, the inherited legacy plans of the former Councils will continue to be used for the determination of planning applications.

6.3.3 At the time of the local government reorganisation in 2023, the former Copeland District Council was at an advanced stage of preparing a new local plan to replace its previous local plan. The decision was therefore made to continue to progress the new Copeland Local Plan and this was subsequently adopted in November 2024, covering the period of 2021 to 2039.

6.3.4 The adopted Development Plan therefore comprises the:

- Copeland Local Plan 2021 – 2039;
- Proposals Map North.

6.3.5 Supplementary Planning Documents (SPDs), where adopted, form part of the Development Plan. There are no adopted SPDs relevant to the Proposed Development in this instance.

6.3.6 For completeness it is also noted that the Proposed Development is not located within a designated Neighbourhood Area.

Copeland Local Plan 2021-2039

6.3.7 Copeland Local Plan sets out the development strategy for the former District Council until 2039 outlining the key vision, objectives and strategic policies.

6.3.8 The Site is not subject to any specific policy designation as identified within the Local Plan proposals map (North Copeland)

6.3.9 **Policy CC1 Large Scale Energy Developments (excluding nuclear and wind energy developments)** provides in-principle support for a range of low carbon energy infrastructure necessary in the transition to a carbon neutral future. It outlines that the Council "*will seek to maximise the renewable and carbon neutral energy generated in the Plan area where this energy generation is compatible with other sustainability objectives"*.

6.3.10 Policy CC1 specifically states that the Council will support proposals for battery stores. It requires careful consideration to be given to the siting, scale and design of the development and associated infrastructure to avoid individual and/or cumulative impacts on, *inter alia*, landscape character (including historic landscape character), residential amenity, visual amenity, biodiversity, geodiversity, flood risk, heritage assets and their setting, highway safety, the amenity of neighbouring uses (noise, dust, odour, air quality, traffic, glare or visual impact), water quality and the outstanding universal values of the English Lake District World Heritage Site.

6.3.11 Policy CC1 also specifies that:

> "*Where proposals would result in significant adverse effects, proposals will only be acceptable where this harm is outweighed by wider environmental, economic, social and community benefits and in the case of the historic environment balanced against the public benefit. Where harm is unavoidable, the planning application must include details of mitigation measures proposed in order to overcome or reduce such harm. Proposals will only be considered suitable where it can be demonstrated that the planning impacts identified by local communities during consultation have been taken into account".*

6.3.12 In addition to Policy CC1, the following policies from the Copeland Local Plan are also considered relevant to the Proposed Development, noting that there is some overlap with the assessment criteria set out in Policy CC1:

- Policy DS1: Settlement Hierarchy;
- Policy DS2: Settlement Boundaries;
- Policy DS4: Design and Development Standards;
- Policy DS5: Hard and Soft Landscaping;
- Policy DS6: Reducing Flood Risk;
- Policy DS7: Sustainable Drainage;
- Policy DS8: Soils, Contamination and Land Stability;
- Policy SC1: Health and Wellbeing;
- Policy N1: Conserving and Enhancing Biodiversity and Geodiversity;

- Policy N3: Biodiversity Net Gain;
- Policy N5: Protection of Water Resources;
- Policy N6: Landscape Protection;
- Policy N9: Green Infrastructure;
- Policy N14: Woodlands, Trees and Hedgerows;
- Policy BE1: Heritage Assets;
- Policy BE2: Designated Heritage Assets;
- Policy BE3: Archaeology; and
- Policy BE4: Non-Designated Heritage Assets.

6.3.13 The full text for the aforementioned policies is set out at **Appendix 4** of this PDAS.

6.4 Other Material Considerations

6.4.1 This section outlines other material considerations relevant to the determination of the planning application, including the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

National Planning Policy Framework (NPPF)

6.4.2 Whilst planning law requires development to firstly accord with the Development Plan, the NPPF is an important material consideration when determining planning applications.

6.4.3 The NPPF establishes the overall direction of planning policy in England and confirms how decision-making should occur at the local level. Central to the Framework is the concept of sustainable development whereby the *"presumption in favour of sustainable development"* forms the overarching role. Paragraph 7 indicates that the purpose of the planning system is to achieve sustainable development and defines it as *"meeting the needs of the present without compromising the ability of future generations to meet their own needs*".

6.4.4 The NPPF is supportive of renewable energy, making it clear local planning authorities (LPAs) should approach renewables as part of a positive strategy for tackling climate change. Chapter 14 relates to '*Meeting the challenge of climate change, flooding and coastal change'*, and at paragraph 161 states that:

> *"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*

6.4.5 BESS developments are not mentioned specifically within the NPPF; however, the Framework is unambiguous in its support for all forms of low carbon technology.

6.4.6 With regards to determining planning applications for all forms of renewable and low carbon energy developments, Paragraph 168 continues to set out that local planning authorities should:

> *"a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;*
>
> *b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;*
>
> *c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site."*

6.4.7 Although not strictly necessary given the NPPF's assertion above that applicants should not be required to demonstrate the overall need for renewable or low carbon energy, the international and national policy context for carbon reduction is summarised in **Appendix 1** and should be recognised as a material consideration in the determination of this planning application.

National Planning Practice Guidance (NPPG)

6.4.8 The Government's NPPG was launched on 6 March 2014 and provides guidance which is periodically updated, on a variety of planning matters. The NPPG should be read alongside the NPPF and is a material consideration in the determination of planning applications.

6.4.9 **The Renewable and Low Carbon Energy NPPG** was last updated in August 2023. It highlights the importance of increasing the amount of energy from renewable and local carbon technologies to help make sure the UK has a secure energy supply. The NPPG recognises the role of planning in the delivery of new renewable and local carbon energy infrastructure in locations where the local environmental impact is acceptable.

6.4.10 The NPPG has a specific section on BESS, which highlights the importance of BESS in the transition to lower carbon energy generation stating that:

> *"Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximizing the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity."*

6.4.11 **The Climate Change NPPG**, published in June 2014 with a subsequent update March 2019, provides guidance on the identification of mitigation and adaptation measures required in the planning process to address the impacts of climate change. It outlines the importance of planning in addressing and improving resilience to climate change.

6.4.12 **The Natural Environment NPPG**, published January 2016 and updated January 2024, discusses the importance of the planning systems regard for the Natural Environment and designations, including considerations at the local scale. The NPPG sets out that:

> *"Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate."*

6.4.13 For Agricultural Land, the PPG identifies the Ministry for Agriculture and Food's (MAFF) provisional Agricultural Land Classification (ALC) to assess the quality of farmland. The guidance outlines that

the best and most versatile land is defined as Grades 1, 2 and 3. The guidance states that: *"planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land".*

Cumberland Council Plan

6.4.14 The Cumberland Council Plan (2023-2027) is a strategic document that sets out the vision for the Council and their aims and objectives for the first 4 years following its inception. The Plan states that: "*Climate and environmental emergency will be at the forefront of our decision making and policy development. We will encourage others to do the same and set an example in using resources sustainably, looking for low carbon or carbon neutral alternatives in what we buy and how we work. Making a fair and just transition to a more sustainable Council and Cumberland."*

National Policy Statements (NPSs)

6.4.15 The current suite of National Policy Statements (NPSs) relating to energy, other than EN-6 relating to nuclear power, were updated by the Department for Energy Security and Net Zero (DESNZ) in 2023. NPSs are designated under the Planning Act 2008 to provide guidance for decision-makers on the application of government policy when determining applications relating to Nationally Significant infrastructure Projects (NSIPs), however they are also a material consideration in the determination of relevant planning applications.

NPS EN1: Overarching National Policy Statement for Energy (2023)

6.4.16 The overarching National Policy Statement for Energy (EN-1) was first published in July 2011 revised in November 2023 and came into force in January 2024. EN-1 is part of a suite of NPSs issued by the Secretary of State for Energy and Climate Change. It sets out the Government's policy for delivery of major energy infrastructure. It is primarily applied to decisions for Nationally Significant Infrastructure Projects (NSIPs) but is also a material consideration in the determination of relevant planning applications.

6.4.17 The NPS recognises that since the designation of the first published EN-1, overall, greenhouse gas emissions from the power sector have more than halved. The statement attributes this to the proportion of renewable generation "more than quadrupling from 10 percent to 43 percent between 2011 and 2020".

6.4.18 EN-1 stresses the importance of employing renewable technologies in reducing the UK's carbon footprint. Paragraph 2.3.5 states: "*The sources of energy we use are changing. Since the industrial revolution, our energy system has been dominated by fossil fuels. That remains the case today. Although representing a record low, fossil fuels still accounted for just over 76 per cent of energy supply in 2020. We need to dramatically increase the volume of energy supplied from low carbon sources."*

6.4.19 Paragraph 2.3.6 states that: *"We need to transform the energy system, tackling emissions while continuing to ensure secure and reliable supply, and affordable bills for households and businesses. This includes increasing our supply of clean energy from renewables, nuclear and hydrogen manufactured using low carbon processes (low carbon hydrogen) and, where we still emit carbon, developing the industry and infrastructure to capture, transport and store it."*

6.4.20 The NPS also includes specific reference to the importance of the role of electricity storage in achieving net zero and providing flexibility to the energy system. Paragraph 3.3.25 and 3.3.26 state that:

''Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated.''

"Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. There is currently around 4GW of electricity storage operational in GB, around 3GW of which is pumped hydro storage and around 1GW is battery storage".

6.4.21 Paragraph 3.3.27 also states that:

''Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g., solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases.''

NPS EN3: National Policy Statement for Renewable Energy Infrastructure (2023)

6.4.22 The NPS for Renewable Energy Infrastructure (EN-3) was also first published in July 2011, revised in November 2023 and came into force in January 2024. It sets out the national policy for renewable energy projects. EN-3 should be read in conjunction with EN-1. EN-3 reiterates the importance of renewable energy, stating at Paragraph 1.1.2 that:

"Electricity generation from renewable sources is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6). Our analysis suggests that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050. This could require a fourfold increase in low carbon electricity generation, with most of this likely to come from renewables."

6.4.23 Although BESS are not specifically referred to in EN-3, it reflects the important role that renewable energy will play in developing a low carbon economy and meeting the Government's net zero targets.

EN-3: National Policy Statement for Renewable Energy Infrastructure Draft

6.4.24 Proposed revisions to EN-3 were published for consultation on the 24th of April 2025, with consultation set to conclude on the 29th of May 2025.

6.4.25 The proposed revisions do not explicitly reference BESS however, as discussed above, Chapter 2.9 of EN-3 continues to reflect the recognition of the important role electricity storage plays in achieving the targets of Clean Power 2030.

EN-5: National Policy Statement for Electricity Networks Infrastructure

6.4.26 The NPS for Electricity Networks Infrastructure (EN-5) was first published in 22nd of November 2023 and came into force in January 2024. It sets out national guidance for electricity networks infrastructure and also refers to energy storage in its first paragraph (1.1.1), stating that:

"The security and reliability of the UK's current and future energy supply is highly dependent on having an electricity network which will enable the new electricity generation, storage, and interconnection infrastructure that our country needs to meet the rapid increase in electricity demand required to transition to net zero, while maintaining energy security."

6.4.27 Section 2.2 of EN-5 sets out that the initiating and terminating points (development zone) of electricity networks infrastructure is not substantially within the control of the applicant, with siting instead determined by:

- *"the location of new generating stations or other infrastructure requiring connection to the network, and/or*
- *system capacity and resilience requirements determined by the Electricity System Operator."*

6.4.28 EN-5 recognises that there are locationally specific beginnings and ends to transmission lines, representing potentially suitable points of Grid connection.

6.4.29 Low carbon new generation and storage projects such as BESS schemes will only be viable in proximity to these appropriate points of connection.

EN-5: National Policy Statement for Electricity Networks Infrastructure Draft

6.4.30 Proposed revisions to EN-5 were published for consultation on the 24th of April 2025, with consultation set to conclude on the 29th of May 2025.

6.4.31 The revisions emphasise the ambitions of accelerating the deployment of clean energy capacity and energy storage to meet the Government's ambitions for the Clean Power 2030 Mission.

Summary

6.4.32 It is clear from the above review that national planning policy across England is supportive of development that increases the renewable energy mix and that decision making should proactively enable the development of renewable energy, so long as the harm does not significantly outweigh the benefit.

7 PLANNING ASSESSMENT

7.1 Introduction

7.1.1 This Chapter provides an assessment of the Proposed Development against relevant policies in the Development Plan and other material considerations as detailed in Chapter 6 of this PDAS.

7.2 Principle of Development

Principle of Development – National Policy

7.2.1 The urgent need for generation of renewable energy including battery energy storage to meet the needs of and to decarbonise the UK economy and to maintain a reliable supply of electricity, is supported at a local, national and international level through both legislation and policy, as set out in Chapter 6 and **Appendix 1** of this PDAS.

7.2.2 Climate change is widely regarded as the greatest threat faced by current and future generations. National energy policy acknowledges the importance of renewable energy generation in achieving the net zero targets. At a UK level, a key objective set out by the Energy White Paper (2020) is to accelerate the deployment of clean electricity generation, which is forecast to require a four-fold increase to meet demand and to replace the old retiring capacity of energy production via fossil fuels.

7.2.3 The White Paper also recognised the importance of energy storage systems in achieving the goal of becoming carbon neutral. The Paper states that "*flexibility will come from new cleaner sources, such as energy storage in batteries*" and that "*By 2050, we expect low carbon options, such as clean hydrogen and long duration storage, to satisfy the need for peaking capacity and ensure security of supply at low cost".* In recognition of the importance of energy storage in moving to net-zero carbon by 2050 (as required by the Climate Change Act 2008) and the interim target of 78% reduction in emissions by 2035 (required by the 6th Carbon Budget), the Government has introduced legislative changes to encourage larger and more effective BESS to be processed by Local Planning Authorities.

7.2.4 NPPF paragraph 168 provides support in transition to a low carbon future and the significant weight that should be given to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future. The need for BESS is further supported by NPS EN-1.

7.2.5 It is clear therefore that energy storage has an important role to play to achieve national and international carbon reduction targets and that national Government are supportive of its importance to support the national grid and to provide energy security and energy affordability. Without these mitigating systems, the energy network that the country is moving towards would be subject to energy fluctuations.

7.2.6 The principle of the Proposed Development is therefore supported by national planning policy and national energy policy, which constitute material considerations for the determination of this planning application.

Principle of Development – Local Planning Policy

7.2.7 Along with the rest of the UK, Cumberland Council has identified an urgent need to combat climate and nature challenges. Cumberland Council adopted its climate and nature strategy in July 2024 which sets out objectives, commitments and programmes for the Council to deliver. As outlined In

Appendix 1 to this PDAS, the Council also published its first Carbon and Energy Management Plan in 2024 wherein it set out its commitment to becoming Carbon Net Zero through interim targets for the decarbonisation of its services and to work with partners to proactively engage in making Cumbria carbon neutral by 2037.

7.2.8 The Copeland Local Plan is supportive in principle of proposals for renewable and low carbon energy. Policy CC1 is the key determining policy for energy developments and outlines that: *"The Council is committed to supporting the transition to a carbon neutral future and will seek to maximise the renewable and carbon neutral energy generated in the Plan area where this energy generation is compatible with other sustainability objectives…The Council will support proposals for large scale renewable and carbon neutral energy schemes and other large scale energy developments, including (but not limited to)…battery stores."*

7.2.9 Policy CC1 therefore provides 'in principle' support for the Proposed Development provided that there are no unacceptable impacts on environmental factors. These are considered in turn below in the following sub-sections of this Chapter.

7.2.10 The Site comprises 0.9ha (main BESS equipment site and 'BNG field') of pasture land located within the open countryside. Local Plan Policy DS1 sets out the settlement hierarchy and seeks to direct proposals for renewable energy to previously developed land and defined settlements, with the exception of defined *"exceptional circumstances"* set out by Local Plan Policy DS2 where development in the open countryside would be supported. This includes *"renewable energy proposal"'* and *"essential infrastructure to support energy developments'*, which have a *'proven need for an open countryside location*."

7.2.11 The Site has been selected by the Applicant following a detailed technical and environmental desk-based assessment to determine its feasibility for BESS development and with full consideration given to other land available within prescribed search area (1.5km radius) relative to the grid connection point.

7.2.12 The search results demonstrate that there are no other suitable sites available nor capable of accommodating the proposed BESS development within the defined search area owing to land-use policy, environmental and technical constraints. The Proposed Development is therefore deemed to satisfy the requirements of Local Plan Policy DS2 in this regard and has satisfactorily concluded the absence of previously developed land (PDL) within the search area before seeking to make use of agricultural land.

7.2.13 Local Plan Policy DS8 also requires that development should be avoided that results in the loss of Best and Most Versatile (BMV) agricultural land. An Agricultural Land Classification (ALC) survey was carried out at the Site in March 2025. The survey concluded that the majority of land within the red line boundary (84%) is subgrade 3b according to the MAFF Agricultural Land Classification guidelines and is not therefore BMV land. Whilst there is a small strip of subgrade 3a, which constitutes BMV land, along the western edge of the Site it only comprises 11% of the total Site area and the site as a whole is farmed according to the lower grade.

7.2.14 The Proposed Development would result in only a very minor loss of BMV land (0.09 ha) on a temporary basis. Furthermore, given its size and shape, the land within subgrade 3a is so limited that it would not in any case, be economically feasible for growing crops. On this basis, the loss of a very small amount of BMV land is not considered to be contrary to Local Plan Policy DS8 or paragraph 187 of the NPPF and the need and type of development is supported nationally, which contributes to meeting sustainable development.

Conclusion

7.2.15 There is 'in principle' support for the Proposed Development at the national and local planning policy level with significant weight attributed to the need for renewable energy generation in achieving net-zero targets.

7.2.16 Furthermore, the requirements of Local Plan Policy CC1 are such that support is offered to renewable energy proposals provided there are no unacceptable impacts on landscape, visual or residential amenity; noise, air, water, highways or health, biodiversity and the natural environment; safety of aircraft operations; and, no unacceptable harm to the historic environment, heritage assets and their setting. These matters are considered in turn below.

7.3 Landscape and Visual Impact

7.3.1 Local Plan Policy CC1 requires applications for large scale energy developments to give careful consideration to siting, scale and design of the development and associated infrastructure to avoid individual and/or cumulative impacts on*, inter alia*, landscape character and visual amenity.

7.3.2 Local Plan Policy N6 relates specifically to landscape protection. It offers support to proposals which would enhance the value of Copeland's landscapes and seeks to protect all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It requires development proposals to be accompanied by a Landscape Appraisal or, where appropriate, a Landscape and Visual Impact Assessment where development has the potential to impact upon landscape character or a protected landscape. It is stated that where harm is identified then the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided.

7.3.3 A Landscape and Visual Appraisal (LVA), prepared by Stephenson Halliday Ltd, accompanies the planning application. It defines the existing landscape and visual baseline environments; assesses their sensitivity to change; describes the key landscape and visual related aspects of the Proposed Development; describes the nature of the anticipated change and assesses the effects arising during construction and operation. The LVA has been undertaken in accordance with published best practice guidance and consideration has been given to the Council's Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit as appropriate.

7.3.4 The LVA confirms the Site is not covered by any landscape designation that would suggest it has an increased value or sensitivity to change. The Site is located approximately 2.7km west of the Lake District National Park and English Lake District World Heritage Site; however, the LVA confirms the Site is not within the landscape setting of the National Park and there would be very limited to no intervisibility with the Proposed Development. As such, the LVA does not consider the Proposed Development to result in any direct effects on the National Park or its setting.

7.3.5 In respect of landscape character, the Site lies within Landscape Character Sub-Type 5d: Urban Fringe, as defined in the Cumbria Landscape Character Guidance and Toolkit (2011) which is described as being an *"agricultural landscape subjected to urban and industrial influences for a long time".*

7.3.6 The LVA acknowledges that the agricultural landscape would be partially affected by the loss of landcover within the Site to accommodate the Proposed Development. This would be limited to the Site itself and the prevailing field pattern and landscape character of Sub-Type 5d would be unaffected by the Proposed Development. The LVA also highlights the presence of existing energy infrastructure in the landscape, with pylons and overhead lines near to the Site, already influencing landscape character and views. Scattered agricultural buildings and nearby settlements of Bigrigg,

Cleator and Moor Row, which form part of the same Landscape Character Sub-Type, similarly create an urban presence within the landscape. The Proposed Development would not therefore be read as an uncharacteristic feature.

7.3.7 The LVA determines the Site is afforded a high degree of containment from the surrounding landscape by the combination of mature boundary planting, vegetation within the wider setting and the localised landform. Thus, in respect of the landscape character, the LVA concludes that the Proposed Development would be afforded a good degree of physical and visual separation from the surrounding landscape, both across Landscape Character Sub-Type 5a and the wider study, and changes would be highly localised. The Proposed Development incorporates mitigation planting and measures to improve the overall landscape fabric, including new trees, hedgerow and grassland. This would serve to integrate the Proposed Development into its setting, reinforcing the well-vegetated context within which it would be located and strengthening green infrastructure connectivity.

7.3.8 In terms of visual amenity, the LVA determines the visual effects of the Proposed Development as highly localised and the incorporation of mitigation planting would soften views towards the Proposed Development once established. The greatest effects would be limited to receptors in immediate vicinity of the Site. This is primarily limited to motorists along Dalzell Street and users of the NCN 72 cycle route. The effects have been described as 'Moderate Adverse' during construction and completion, reducing to 'Moderate / Minor Adverse' in the long term once the mitigation planting has established to provide filter views and soften the Proposed Development.

7.3.9 Within the wider setting, the majority of views would be screened or heavily filtered in the long-term. Receptors within settlements would be limited to a small number of properties within Cleator to the east and Cleator Moor to the north east. Given the intervening vegetation cover and landform, it is considered that these receptors would experience 'Negligible Neutral' effects at all stages.

7.3.10 Specific viewpoints have been considered within the LVA, including Dent Fell which is recognised as forming a prominent landform and localised high point within the Study Area. The summit is located approximately 3km east of the Site and access via several routes, with views provided of the Cumbrian coastline, agricultural landscape and scattered settlements. The LVA has assessed the construction, early and later operation phase effects on Dent Fell as 'Negligible' owing to the small scale of the Proposed Development, separation distance and intervening landscape with a well established network of vegetation. The Proposed Development would be barely perceptible from this location and the view already comprises numerous references to existing built form and industrial development.

7.3.11 Although BESS developments have reasonably small footprints and low vertical extents compared to other forms of electrical energy generation, the LVA gives consideration to potential cumulative effects arising from the Proposed Development in conjunction with other known developments in vicinity of the Site. This includes the nearby planning permission for an extension to a battery storage facility to the south the Site near Woodend Substation (ref: 4/22/2335/0F1) which is located in the same Landscape Character Sub-Type 5d. The permission has not been implemented although there is still potential for it to come forward. The LVA notes that the two sites do not visually interact with each other and would not be visible together in the same view. Other than the very slight combined loss of Sub-Type 5d to development, the LVA considers there to be no notable cumulative effects arising from these two schemes.

7.3.12 Based on the assessment findings of the LVA, the Proposed Development would be well contained in the landscape owing to landform and existing vegetation and would have a highly localised impact on landscape character and visual amenity. Landscape mitigation measures form part of the proposal which would provide enhanced screening to Site boundaries, helping to integrate the

Proposed Development into its setting and also deliver environmental enhancements. The Proposed Development is not considered to result in unwarranted harm and accords with the requirements of Local Plan Policies CC1 and N6.

7.4 Ecology and Biodiversity

7.4.1 Local Plan Policy CC1 seeks to ensure that there are no adverse effects upon biodiversity and geodiversity arising from energy developments. Local Plan Policy N1 also sets out that the Council is committed to conserving Copeland's biodiversity and geodiversity. Proposals must demonstrate that they are in accordance with the mitigation hierarchy – avoidance, mitigation and compensation.

7.4.2 An Ecological Impact Assessment (EcIA), prepared by Futures Ecology, accompanies the planning application. This assesses the likely effects upon biodiversity as a result of the Proposed Development, comprising a desk study and field surveys of the Site and the surrounding area. There are a number of separate species survey reports which have been undertaken and included as part of the EcIA.

7.4.3 Key findings of the ecological assessments and the application of the mitigation hierarchy have been employed at each stage of the development design process to minimise impacts and maximise the ecological benefit of the scheme.

7.4.4 There are no statutory or non-statutory ecological designations within the Site boundary. Table 5 of the EcIA provides an overview of the designations of international, national and local importance within a 10km, 2km and 1km radius of the Site boundary respectively and details the potential impacts of the Proposed Development, any mitigation required and the overall residual effects. It identifies the potential hydrological connection between the Site and the River Ehen SAC and SSSI as a result of the drainage ditch running along the southern Site boundary. Subject to appropriate surface water and pollution prevention mitigation measures, as identified in both the EcIA and Flood Risk Assessment and Drainage Strategy, the Proposed Development would not have significant effects on the integrity of the designations.

7.4.5 Habitats associated with the Site are listed within Figure 2 of the EcIA and comprise mostly semi-improved grassland and hardstanding, with some scattered scrub, broadleaved trees and a dry ditch. The habitats are not listed of importance within the local biodiversity action plan or as a habitat of principal importance, with the EcIA concluding the habitats are not considered an Important Ecological Feature (IEF).

7.4.6 Table 8 of the EcIA provides a summary of the ecological features identified which required further assessment and their geographical scale of significance. Each IEF is considered in turn within Section 6 of the EcIA (impact assessment) and relevant mitigation, residual effect and compensation / enhancement set out.

7.4.7 Through the careful implementation of a Construction Environmental Management Plan (CEMP: Biodiversity) and Biodiversity Environmental Management Plan (BEMP) no significant adverse residual effects are expected on retained ecological features and the EcIA concludes that the Proposed Development would have a 'not-significant' positive effect at the local level in the medium to long term.

7.4.8 All on-site trees would be retained within the main development site and the proposed landscape mitigation would provide significant new habitat creation in the form of native tree and shrub planting, as well as species-rich wildflower meadows. This serves to provide new foraging and shelter resources for a range of wildlife.

7.4.9 In terms of the baseline value of on-site habitats, this is recorded at 5.22 Area Habitat Units and 0.12 Hedgerow Units. The accompanying Biodiversity Impact Assessment (BIA) contains further information on the Site's baseline condition and it is advised that a minimum 10% biodiversity net gain (BNG) would be achieved on-site. Further details of post-development values and biodiversity gain plan will be provided during the course of the application.

7.4.10 Subject to the imposition of appropriate planning conditions in respect of construction related activities, the Proposed Development would not result in any significant harm to protected species or designated sites. The Proposed Development would seek to enhance biodiversity and achieve a net gain of at least 10% or more within the Site boundary in compliance with relevant national and local planning policy, including compliance with the requirements of Local Plan Policy N1.

7.5 Historic Environment

7.5.1 Local Plan Policy CC1 seeks to ensure that there are no adverse impacts upon heritage assets and their setting arising from energy developments. Local Plan Policy BE1 requires that all heritage assets and their setting will be preserved and enhanced through adherence with several criteria, including ensuring that new development is sympathetic to local character and history and that great weight is given to the conservation of Copeland's designated heritage assets.

7.5.2 Local Plan Policy BE2 and BE4 also required that development should preserve or enhance designated and non-designated heritage assets and their setting. The more important the asset, the greater weight that will be given to its conservation. Local Plan Policy BE3 also requires that proposals affecting archaeological sites of less than national importance should preserve those elements which contribute towards their significance in line with the importance of the remains.

7.5.3 A Historic Environment Assessment (HEA), prepared by Heritage Archaeology, accompanies the planning application. It considers the likely effects of the Proposed Development on known and potential archaeology and built heritage (collectively known as heritage assets) alongside the effects that could arise from of development taking place within the settings of heritage assets, incorporating a Statement of Significance. The HEA focuses on the main BESS development area and 'BNG field' given that the buried grid connection cable route to Woodend substation will be located within the surfaced carriageway.

7.5.4 The HEA concludes that there are no recorded designated heritage assets within, or pertaining to, the Site; it is located outside of the English Lake District World Heritage Site. The HEA details the location of the nearest designated heritage assets, all of which are Grade II Listed Buildings. However, the HEA concludes that the separation distance and lack of intervisibility is such that the Site is not within the setting of any of these designated heritage assets and therefore concludes that there would be no adverse impacts.

7.5.5 There is one recorded non-designated heritage asset, a non-conformist graveyard, which partially overlaps the Site boundary. The Heritage Consultant noted on their site visit that this is an area of scrub and former railway embankment; the embankment for the Bigrigg Branch Railway was constructed over it in the late 19th century. The HEA considers that it is therefore unlikely for any of the graveyard remains to be present within the Site. Notwithstanding this, the Proposed Development has been sited away from the location where the graveyard was historically sited. The existing access track is located between the graveyard (in the northern field) and the Proposed Development which lies in the southern part of the southern field.

7.5.6 The HEA concludes that the Proposed Development would not impact any known heritage assets and the application Site has a low archaeological potential. The Proposed Development would not affect the contribution made by setting to the value of any heritage assets. It is therefore concluded that the Proposed Development would have a neutral impact on the historic environment and

accords with the requirements of the Local Plan's historic environment policies (Policies BE2, BE3 and BE4).

7.6 Arboriculture

7.6.1 Local Plan Policy CC1 seeks to ensure that the siting, scale and design of energy development is appropriate to avoid any adverse impacts upon various matters including biodiversity. Local Plan Policy DS5 also requires that ancient hedgerows or woodland should only be removed in exceptional circumstances, whilst Local Plan Policy N14 requires that existing trees and hedgerows which contribute positively to the visual amenity and environmental value of their location will be protected.

7.6.2 The Proposed Development provides for the protection and integration of existing trees and hedges at the Site. An Arboricultural Assessment, prepared by FPCR Environment and Design, has been undertaken of the portion of the Site wherein the BESS equipment will be sited and the 'BNG field'. The Arboricultural Assessment includes a Tree Survey Plan which was used to inform the siting of the proposed Site layout. It also contains a Tree Retention Plan for the Site, which recommends that retained trees are protected during construction works.

7.6.3 No trees would be removed to accommodate the Proposed Development. All trees would have an adequate standoff from the Proposed Development to ensure that their health is not compromised by the proposed works. Furthermore, 10 native trees and native hedgerow and thicket mix to the Site boundaries will provide screening and enhance the biodiversity across the Site. Details of the proposed planting are shown on the accompanying Landscape Mitigation Plan.

7.6.4 The proposed buried grid connection cable route once leaving the BESS equipment site follows the route of the adopted highway. All works would be located within the surfaced carriageway, resulting in no impacts to off-site green infrastructure.

7.6.5 The existing trees at the Site would be retained and new trees will be planted as part of the proposed landscape strategy; therefore, the Proposed Development would not result in any conflict with Local Plan Policies CC1, DS5 and N14.

7.7 Flood Risk and Drainage

Flood Risk

7.7.1 Local Plan Policy CC1 seeks to ensure that there are no adverse impacts upon flood risk arising from energy developments.

7.7.2 Local Plan Policy DS6 directs new development to areas at the lowest risk of flooding and seeks to ensure that development is avoided in areas where the existing drainage infrastructure is inadequate. It also requires that development incorporates flood mitigation strategies to reduce any potential adverse effects on water quality.

7.7.3 This accords with Chapter 14 of the NPPF which sets out the overarching requirements for flood risk for any development. The key message is that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

7.7.4 As required by the NPPF, the planning application is supported by a site-specific full Flood Risk Assessment and Drainage Strategy ('FRA'). The FRA confirms that the Site is entirely located within Flood Zone 1 for fluvial and tidal flooding as per the Government's 'Flood Map for Planning'.

Flood Zone 1 has a 'low probability' of flooding and is the area at least risk of flooding. The FRA also confirms the Site is at very low risk of groundwater flooding.

7.7.5 The majority of the Site is at very low risk from surface water flooding; however, the FRA has identified very small areas within the Site to be at higher risk of surface water flooding owing to the Site's gentle topography and some field depressions. A sequential led-approach has therefore been adopted to ensure that all built infrastructure is sited outside the areas at higher risk of surface water flooding. The proposed internal access tracks have similarly sought to avoid these areas while also factoring in other design considerations relating to visibility/manoeuvrability and environmental constraints (ecology and trees). In any case, the new track sections would be porous and free draining through the use of a MOT type 3 stone sub-base layer and would be constructed level with the ground surface in order to prevent any impedance or modification of existing overland flow pathways. In view of this, the FRA concludes that the flood risk from surface water is of a minor nature with low water depths and velocities and on this basis, the risk of flooding from surface water is considered to be of a low significance.

7.7.6 An important aspect of BESS development is having access to the local distribution network, or 'grid'. The DNO provides a point of connection on the network or grid where the power from the BESS must connect. It is important that these developments are close to the point of connection, which in this case is circa 0.9km. Consideration of land closer to the point of connection has been given but discounted as there are significant areas of higher flood risk, proximity to built-up areas and limited availability of landowners willing to lease their land. The Site needs to be situated at this location to enable a connection to the electricity power network. The Proposed Development can only be delivered where site conditions are favourable and land is available. The FRA concludes that no reasonably available alternative sites have been identified with a lower risk of surface water flooding and the Site is the most suitable for the Proposed Development.

7.7.7 In conclusion the FRA concludes that the Proposed Development would have no impact on flood risk and the overall direction of the movement of water would be maintained within the developable area of the Site. There would be no net loss in flood storage capacity and the conveyance routes would not be blocked or obstructed. As such, the Proposed Development would not result in any adverse impacts on flood risk in accordance with Local Plan Policies CC1 and DS6 and Chapter 14 of the NPPF.

Sustainable Drainage

7.7.8 Local Plan Policy DS7 also requires that new development incorporates Sustainable Drainage Systems and that development on greenfield sites should seek to achieve pre-development or better levels of surface water run-off than on previously developed sites.

7.7.9 An assessment of the surface water runoff rates has been undertaken to determine the surface water options and attenuation requirements for the Site. As an undeveloped Greenfield site the impact of the Proposed Development needs to be mitigated so that the runoff from the Site replicates the natural drainage characteristics of the pre-developed Site, in accordance with Local Plan Policy DS7.

7.7.10 The FRA outlines that infiltration to ground is unlikely to be possible and as such discharge to a surface waterbody is the preferred drainage strategy. An existing drainage ditch located along the southern boundary of the Site which ultimately discharges into the River Keekle, with attenuation and a restricted run-off rate, is the preferred option for the discharge of surface water runoff from the Site. The various drainage options would be explored further at the detailed design stage; the Applicant volunteers that a suitably worded planning condition requiring the detailed drainage proposals to be submitted and approved, is made subject to the grant of planning permission.

7.7.11 The Proposed Development is wholly sited within Flood Zone 1 and the site layout has been sequentially designed to ensure that built infrastructure is situated outside areas of medium risk of surface water flooding. The proposed mitigation and SuDS controls would provide a betterment and reduce the risk of surface water flooding, and the Proposed Development would not increase the rate of runoff leaving the space.

7.7.12 For these reasons, the Proposed Development is deemed compliant with Local Plan Policies CC1, DS6 and DS7, and the provisions of the NPPF as appropriate.

7.8 Access and Transport

7.8.1 Local Plan Policy CC1 supports proposals for renewable and low carbon energy provided, *inter alia*, there are no unacceptable impacts on highway safety. Local Plan Policy DS4(f) requires that developments must: "*Not give rise to severe impacts on highway safety and/or a severe impact on the capacity of the highway network".*

7.8.2 Chapter 9 of the NPPF relates to the promotion of sustainable transport, with Paragraph 109 stating that transport issues should be considered from the earliest stages of development, identifying transport solutions that deliver well-designed places, which should involve *"understanding and addressing the potential impacts of development on transport networks"*.

7.8.3 Paragraph 115 of the NPPF requires, amongst others, that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. It is further stated at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be *'severe'*, following mitigation.

7.8.4 This application is supported by a Transport Statement and Traffic Management Plan (TS&TMP) prepared by Beacon Transport. The TS&TMP provides a description of baseline conditions; the transport characteristics of the Proposed Development, including access; an outline construction traffic management plan (CTMP); traffic forecasts and an assessment of the traffic impacts of the Proposed Development.

7.8.5 Access to the Site during the construction and operational phases of development would be obtained via an existing private track taken from Dalzell Street. The private access track is stone-surfaced and adjoins Dalzell Street via a simple arrangement adjacent to a highway drainage gully. Some slight widening is proposed along the existing access track but its connection with the public highway would remain unchanged under the Proposed Development.

7.8.6 The Proposed Development also includes a secondary emergency access point, for use in the event of an emergency, to address the updated NPPG and inclusion of the National Fire Chiefs Council (NFCC) Guidance for Fire and Rescue Services for grid scale BESS. This would be achieved via an existing field gate leading into the southern portion of the Site, as illustrated on the Site Layout Plan (**Drawing Reference 030.301.05**).

7.8.7 An internal access track would be provided within the Site to provide access to the BESS equipment, including the substations and inverter/transformer units. The proposed track would cover an area of 1,650m² and would require 500m³ of stone aggregate. A cross-sectional diagram of the proposed access track is shown on **Drawing Reference 030.310.01**.

7.8.8 A vehicle tracking plan for articulated HGVs is provided at Appendix C of the TS&TMP which demonstrates that the Site access and internal access track would suitably accommodate the size of such vehicles.

7.8.9 Construction of the Proposed Development is anticipated to occur over a period of 6 months, with the forecast of vehicle movements associated with construction/installation activities calculated as a maximum average of 5 HGV deliveries per day (or 10 two-way HGV movements). This equates to a total of 20 two-way vehicle movements per day when including worker arrivals and departures. This is based upon a worst-case scenario and the maximum value being associated with the formation of the internal access tracks. Once operational, the development would attract negligible trips, anticipated to be in the order of 1 visit per week for routine monitoring and serving of BESS equipment. No staff would be permanently based at the site.

7.8.10 The TS&TMP concludes that the forecast traffic movements should be suitably accommodated by the proposed access, local roads and the surrounding highway network and no material impact is anticipated upon the normal operation of the highway network, nor would there be any material impacts upon highway safety in accordance with Local Plan Policy CC1 and Local Plan Policy DS4(f) and Section 9 of the NPPF.

7.8.11 An outline CTMP has been provided as part of the planning submission (Section 4 of the TS&TMP). It is however recommended for a detailed CTMP to be secured by way of planning condition as much of the content can only be determined once contractors have been appointed. The key measures which will provide further mitigation with respect to highways safety and the efficiency of the local highway network are:

- All construction and delivery vehicles would be required to travel to/from the Site via the A595, with use of the A5086 being limited to the section between the A595 and the C4002 so that construction vehicles would not pass through the settlements of Cleator, Cleator Moor, Frizington or Rowrah. Construction vehicles would be required to approach and depart the Site from/to the south, via Woodend, using the C4002 to travel from/to the A595 or A5086.

- All construction activities, including deliveries of materials and components, are proposed to be limited to between 07:00 and 19:00 hours Monday to Saturday. There would be no working or deliveries taking place on Sundays or Bank Holidays, other than for emergency works. This can be suitably controlled as part of the CTMP and/or separate planning condition.

- All loading and unloading activity would take place within the Site, with all vehicles entering, circulating and exiting in a forward gear.

- All vehicles exiting the Site would be required to be in a suitably clean condition so as to not deposit material onto the highway.

7.8.12 For the reasons above, the Proposed Development is considered to provide safe access to and from the site. The internal layout and proposed access tracks provide adequate vehicle manoeuvring and standing space for all vehicles associated with the Proposed Development at any one time. The TS&TMP has assessed the likely traffic movements associated with the Proposed Development and concludes that these can be suitably accommodated by the site access (subject to proposed junction improvements) and the local highway network. There would be no material impact upon the normal operation, character or safety of the highway network and the recommended traffic management measures, including hours of construction, should ensure no unacceptable impacts on the amenity of local residents.

7.8.13 The Proposed Development therefore accords with Local Plan Policies CC1 and DS4(f). Furthermore, the NPPF stipulates that development should only be prevented or refused on

highways grounds if there would be an ‘unacceptable’ impact on highway safety, or the residual cumulative impacts on the road network would be ‘severe’; it is concluded that there are no transportation or highways matters that preclude the granting of planning permission for the Proposed Development.

7.9 Noise

7.9.1 Local Plan Policy CC1 requires all proposals for new development to safeguard the quality of life for residents within and in the vicinity of the Proposed Development, including from noise effects. Development will only be supported where it does not result in significant adverse effect on the nearby residential amenity. With specific reference to noise, Local Plan Policy DS4(n) requires that noise pollution is mitigated through good layout, design and appropriate screening.

7.9.2 Furthermore, paragraph 187(e) of the NPPF stipulates that planning decisions should contribute to, and enhance, the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

7.9.3 Noise impacts of the Proposed Development have been considered at an early stage in the design process and have informed the positioning of the noise-emitting sources (battery storage units and inverter/transformer) within the Site.

7.9.4 A Noise Impact Assessment (NIA) has been undertaken by Vibrock to assess the potential impact of noise of the Proposed Development upon the nearest Noise Sensitive Receptors (NSRs) during the construction and operational phases. The Proposed Development includes noise generating equipment and the Noise Assessment: details the assessment methodology; considers the potential noise emissions; sets out survey results (background noise and potential noise impact); and, recommends mitigation.

7.9.5 Background sound levels were measured in March 2025 at three locations selected to represent the closest NSRs to the Site. This demonstrated that existing ambient sound levels are low in the vicinity of the Site.

7.9.6 Subject to proposed mitigation through the use of silencer kits to encase the battery units, the NIA concludes at a predicted worst-case outcome there would be low likelihood of adverse impact at all assessed NSRs for the operational life of the Proposed Development.

7.9.7 Potential noise levels during the construction phase of the development would be temporary and would be controlled through the production of a Construction Environmental Management Plan (CEMP), which is requested to be conditioned. The CEMP would serve to ensure that the working hours, duration of construction and installation techniques would not result in nuisance or harm to nearby residents.

7.9.8 It is therefore concluded that subject to appropriate planning condition as per the recommendations of the NIA, the Proposed Development would not give rise to unacceptable impacts on residential amenity from noise and complies with the requirements of Local Plan Policies CC1 and DS4 and the provisions of the NPPF.

8 PLANNING CONCLUSION

8.1.1 This application seeks full planning permission for the following development on land to the east of Dalzell Street, Woodend, West Cumbria:

> *'Construction and installation of a Battery Energy Storage System (BESS) and associated infrastructure, landscaping and buried grid cable route'.*

8.1.2 There is a UK Climate Emergency in force. Cumberland Council have acknowledged their commitment to tackling climate change and protecting and enhancing biodiversity, as well as working with partners to proactively engage in making Cumbria carbon neutral by 2037.

8.1.3 The adopted Development Plan is supportive of renewable energy development. Copeland's vision for growth as set out in the Local Plan seeks to promote investment and innovation in zero-carbon technologies and to achieve the full energy potential of natural resources, whilst Policy CC1 of the Local Plan outlines that: *"The Council is committed to supporting the transition to a carbon neutral future and will seek to maximise the renewable and carbon neutral energy generated in the Plan area where this energy generation is compatible with other sustainability objectives…The Council will support proposals for large scale renewable and carbon neutral energy schemes and other large scale energy developments, including (but not limited to)…battery stores".*

8.1.4 As set out in the NPPF, a material consideration in the determination of the application, substantial weight should be given to the benefits associated with renewable and low carbon energy generation and the Proposed Development's contribution to a net zero future. In doing so, applicants are not required to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. It goes on to state that an application should be approved if its impacts are (or can be made) acceptable.

8.1.5 Transition to renewable energy generation is required to achieve net zero. National Policy Statement (EN - 1) confirms that battery storage has a key role to play in achieving net zero and providing flexibility to the energy system. Additionally, the updated NPS EN-3 (November 2023) reflects the vital role renewables will play in developing a low carbon economy and meeting government's net zero targets.

8.1.6 The Proposed Development would assist in providing energy security and would facilitate the increased use of renewable energy in the UK; this is a material consideration in the determination of the planning application.

8.1.7 Chapter 7 of this Statement provides a detailed assessment of the Proposed Development against relevant Local Plan Policies and other material considerations. The overall principle of development has been deemed acceptable in accordance with Local Plan Policies CC1 and DS2, which offer support for renewable energy development. There is no previously developed land (PDL) available within proximity of the substation and the Proposed Development would predominately avoid BMV land in favour of lesser quality land (Grade 3b). Moreover, the accompanying environmental and technical reports, as assessed in Chapter 7, demonstrate the Proposed Development would result in no unacceptable harm to environmental factors as required by Local Plan Policy CC1.

8.1.8 Through the iterative design process and proposed mitigation, including compensation and enhancements measures, there would be no significant harm to local amenity and the landscape would be protected. In addition to landscape mitigation, a biodiversity net gain would be delivered at site. The Proposed Development would not negatively impact on any environmental designations or protected species.

8.1.9 The iterative design process has taken into account feedback received from local residents and key stakeholders and the Applicant welcomes further engagement with interested parties through the design process.

8.1.10 It has been therefore, been demonstrated that the Proposed Development accords with the Development Plan and the principle of the Proposed Development is acceptable. There is a substantial need for this type of development and the benefits weigh significantly in its favour.

8.1.11 Paragraph 11 of the NPPF states that: "*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay*". It is therefore considered that planning permission should be granted without delay.

8.1.12 The Applicant would like to work proactively with the LPA during the application process, in meeting any further information requests, site meeting and in agreeing draft planning conditions.

Appendix 1 – Carbon Reduction and the Need for Renewable Energy

1. A summary of the framework of international agreements, legally binding targets and climate change global advisory reports upon which national energy policy and emissions reduction law is based is set out below. This forms a material planning consideration for the determination of this Application and demonstrates the importance of renewable energy projects coming forward to achieving legally binding targets, such as the Proposed Development.

International and National Energy Policy Targets

International

United Nations (UN) Conference of the Parties Climate Change Conferences

2. The UN Conference of the Parties (COP) has convened an annual meeting since 1995 to assess progress in dealing with climate change and negotiate global climate action. In 2015, the UN Climate Change Conference agreed that in order to limit significant impacts arising from global warming, a worldwide temperature increase would need to be limited to 1.5°C.

The Paris Agreement (2016)

3. The Paris Agreement[2] is an agreement within the United Nations Framework Convention on Climate Change (UNFCCC) that seeks to address greenhouse gas emissions mitigation, adaptation and finance.

4. In 2015, parties to the UNFCCC adopted the Paris Agreement, the aims of which are stated as: *"This Agreement, in enhancing the implementation of the Convention, including its objective, aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by: a) Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change; and (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production."* The agreement sets targets for countries' greenhouse gas (GHG) emissions, but these are not legally binding or enforceable.

5. Moving to a low carbon economy is a globally shared goal and will require absolute emission reduction targets. The UK Government's commitment under the Paris Agreement links through to the Committee on Climate Changes' advice to the UK Government on 'net zero' targets which have now been translated into new legislative provisions and targets leading to Net Zero by 2050.

6. The Paris Agreement does not itself represent Government policy in the UK. However, the purpose of domestic and renewable energy and GHG reduction targets is to meet the UK's commitment in the Paris Agreement.

[2] United Nations Framework Convention on Climate Change (2015). Paris Agreement. (Online) Available at: https://unfccc.int/sites/default/files/english_paris_agreement.pdf

Glasgow Climate Pact (2021)

7. The Conference of the Parties (COP 26) under the UNFCCC held in Glasgow in November 2021 resulted in almost 200 countries agreeing on: the acceleration of action on climate change this decade to reduce emissions (mitigation); helping those already impacted by climate change (adaption); enabling countries to deliver on their climate goals (finance); and working together to deliver even greater action (collaboration). This agreement is in the form of the Glasgow Climate Pact which reaffirms the long-term goal to limit global warming to 1.5°C above pre-industrial levels and resolves to pursue efforts to achieve this, recognising that limiting global warming to 1.5°C *"requires rapid, deep and sustained reductions in global greenhouse gas emissions, including reducing global CO2 emissions by 45% by 2030 relative to the 2010 level and to net zero around mid-century, as well as deep reductions in other greenhouse gases"*[3].

8. One of the key messages highlighted at COP26 is the importance of moving away from coal power and the importance of scaling up clean power as an alternative including renewable energy generation.

COP28 (November – December 2023)

9. A Conference of the Parties (COP 28) under the United Nations Framework Convention on Climate Change (UNFCCC) was held in the United Arab Emirates in November - December 2023. "*COP28 was particularly momentous as it marked the conclusion of the first 'global stocktake' of the world's efforts to address climate change under the Paris Agreement. Having shown that progress was too slow across all areas of climate action – from reducing greenhouse gas emissions, to strengthening resilience to a changing climate, to getting the financial and technological support to vulnerable nations – countries responded with a decision on how to accelerate action across all areas by 2030. This includes a call on governments to speed up the transition away from fossil fuels to renewables such as wind and solar power in their next round of climate commitments.…"*[4].

10. COP28 also emphasised the potential of energy storage to significantly shape a sustainable energy future. Initiatives such as the Supercharging Battery Storage Initiative, ESS Consortium, and Net Zero World all point in one direction, addressing energy poverty, promoting sustainability, and achieving clean energy goals.

2024 UN Climate Change Conference (COP29)[5]

11. The 29th annual United Nations Climate Change Conference closed on 24 November 2024, following its commencement on 11 November 2024. The Conference, held in Baku, Azerbaijan, was attended by almost 200 countries, reaching breakthrough agreements, and committing to a new finance goal to help countries to protect their people and economies against climate disasters, and share in the vast benefits of the clean energy boom. Discussions were underpinned by the

[3] United Nations Framework Convention on Climate Change (2021). COP26 The Glasgow Climate Pact. (Online) available at: https://ukcop26.org/wp-content/uploads/2021/11/COP26-Presidency-Outcomes-The-Climate-Pact.pdf

[4] COP28: What Was Achieved and What Happens Next?, 12 January 2024, UN Climate Press Release (https://unfccc.int/cop28)

[5] https://unfccc.int/cop29

overarching aim of keeping global temperature increases well within the 2°C goal and ideally the 1.5°C pre-industrial limit.

12. A cornerstone achievement of the Conference was the Global Energy Storage and Grids Pledge. The Pledge encourages investment in energy storage, set a target to deploy 1,500 gigawatts of energy storage capacity and adding or refurbishing 25 million km of grid infrastructure by 2030. The Conference highlighted that the cost of ESS solutions has decreased by 90% since 2009, now making ESS a viable option to help ensure stable and secure energy supply.

13. The financial goal set at COP29 builds on action taken at COP27, which agreed a historic Loss and Damage Fund, and COP28, which delivered a global agreement to transition away from all fossil fuels in energy systems.

14. Simon Stiell, Executive Secretary of UN Climate Change set out that the new finance goal *"is an insurance policy for humanity, amid worsening climate impacts hitting every country […] It will keep the clean energy boom growing, helping all countries to share in its huge benefits: more jobs, stronger growth, cheaper and cleaner energy for all."*

15. The finance agreement achieved follows a requirement for all countries to provide stronger national climate plans next year, which must cover all greenhouse gases and all sectors. Importantly, COP29 resulted in the UK setting out clear signals that *they "plan to ramp up climate action in their (Nationally Determined Contributions (NDCs)".*

16. COP29 reached agreements on carbon markets – aiding countries to deliver climate plans with greater efficiency and make rapid progress in reducing net global carbon emissions this decade.

UK Acts of Parliament and Regulations

Climate Change Act 2008 (As amended)[6]

17. One of the key provisions of the original 2008 Act was the introduction of legally-binding targets on GHG emissions comprising reductions of at least 80% GHG emissions by 2050, and reductions in emissions of at least 26% by 2020, against a 1990 baseline. The Climate Change Act 2008 (2050 Target Amendment) Order 20195 came into force on 27 June 2019.

18. This amended the legally-binding target to reduce GHG emissions set in section 1 of the Climate Change Act 2008 from 80% to 100% against a 1990 baseline, achieving 'net zero' emissions. The Act also requires the Government to establish 5-year carbon budgets. The generation of electricity by renewable means is considered to be a key contributor to meeting these targets.

The Carbon Budgets Order 2009[7]

19. This legislation implements the carbon budgets set out in the Climate Change Act 2008. The budgets require the UK to continually reduce emissions in line with the carbon reduction commitments established under the Climate Change Act. The carbon budgets are:

[6] UK Government (2008). Climate Change Act 2008. (Online) Available at: https://www.legislation.gov.uk/ukpga/2008/27/contents

[7] The Carbon Budgets Order 2009

- first carbon budget, 2009 to 2012, 3,018 mega tonnes carbon dioxide equivalent (MtCO2e) representing 25% reduction below 1990 levels;
- second carbon budget, 2013 to 2017, 2,782 MtCO2e representing 31% reduction below 1990 levels;
- third carbon budget, 2018 to 2022, 2,544 MtCO2e representing 37% reduction below 1990 levels by 2020;
- fourth carbon budget, 2023 to 2027, 1,950 MtCO2e representing 51% reduction below 1990 levels by 2025;
- fifth carbon budget, 2028 to 2032, 1,725 MtCO2e representing 57% reduction below 1990 levels by 2030; and
- sixth carbon budget, 2033 to 2037, 965 MtCO2e representing a 78% reduction below 1990 levels by 2035.

20. Government figures show a significant shortfall in expected carbon reductions against legally binding target. Data from the Department for Business, Energy and Industrial Strategy (BEIS) shows that with existing and near-fully planned policies, the UK is projected to emit nearly double the amount of greenhouse gases than it should under its legally-binding objectives.

21. The BEIS document 'Updated energy and emissions projections 2021 to 2040' published in October 2022[8] states in the Executive Summary that: "*The Climate Change Act (CCA), passed in 2008, established a system of legally binding interim targets called carbon budgets, covering successive five-year periods. Since June 2019, the 2050 target under the CCA is to reach net zero. EEP provides projections of performance against carbon budget targets under EEP-ready policies. Carbon Budgets 3 and 4 (CB3 and CB4), covering 2018-2022 and 2023-2027 respectively, are projected to be met. Under EEP-ready policies, projected gaps between target and performance remain for Carbon Budgets 5 and 6 (CB5 and CB6, covering the periods 2028-2032 and 2033-2037 respectively)…"*.

UK Energy Policy

UK Renewable Energy Strategy (2009)

22. The UK Renewable Energy Strategy (HM Government, 2009) outlined the UK's commitment to source 15% of energy from renewable sources by 2020, whilst reducing its fossil fuel consumption by 10% and gas imports by 20-30%. The aim was to generate more than 30% of the UK's electricity needs, 12% of its heating needs and 10% of its transport energy with renewables. The strategy puts in place the financial mechanisms necessary for the advancement of these goals with around £30 billion to be invested between 2009 and 2020. The Strategy was supported by the Renewable

[8] Updated energy and emissions projections 2021 to 2040

Energy Action Plan and Road Map. In 2021, of the total electricity generated, renewable electricity amounted to 39.6% (BEIS, 2022)[9], a reduction on 2020.

The UK Energy White Paper – Powering Our Net Zero Future (December 2020)

23. The Energy White Paper[10] set out the policies and commitments by the Government to put the UK on course to achieve Net-Zero.

24. The White Paper sets out that: "*electricity is a key enabler for the transition away from fossil fuels and decarbonising the economy cost-effectively by 2050*".

25. It adds a key objective is to *"accelerate the deployment of clean electricity generation through the 2020s"* (page 38). Electricity demand is forecast to double out to 2050, which will *"require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target"* (page 42).

26. The White Paper recognises the importance of **energy storage systems (our emphasis)** in achieving the goals of becoming carbon neutral. The Paper states that "*flexibility will come from new cleaner sources, such as energy storage in batteries*" and that "*By 2050, we expect low carbon options, such as clean hydrogen and long duration storage, to satisfy the need for peaking capacity and ensure security of supply at low cost".*

27. In recognition of the importance of energy storage in moving to net-zero carbon by 2050 (as required by the Climate Change Act 2008) and the interim target of 78% reduction in emissions by 2035 (required by the 6th Carbon Budget), the Government introduced legislative changes to encourage larger and more effective BESS to be processed by Local Planning Authorities.

28. In terms of electricity policy in the White Paper, the UK Government clearly recognise that the scale of change that is required to respond to climate change is at a pivotal point. The anticipation is that there is going to need to be a global green industrial revolution and it is only through this that an appropriate response would be made to tackling climate change issues. Chapter 1 of the White Paper sets out this context and makes clear the likely change in the nature and volume of electricity generation.

British Energy Security Strategy

29. On 7 April 2022, the Department for Business, Energy and Industrial Strategy (BEIS) published the British Energy Security Strategy. The Strategy seeks to accelerate the transition away from fossil fuels and towards renewables. As part of the 10-point plan for a green industrial revolution, significant investment into renewables has been identified – with the desire to go further and faster.

[9] Department for Business, Energy and Industrial Strategy (BEIS) (2022). Digest of UK Energy Statistics (DUKES): renewable sources of energy.

[10] https://assets.publishing.service.gov.uk/media/5fdc61e2d3bf7f3a3bdc8cbf/201216_BEIS_EWP_Command_Paper_Accessible.pdf

2024 Committee on Climate Change Progress Report to Parliament[11]

30. In July 2024, the Committee on Climate Change (CCC) published their latest report to the UK Parliament on the progress to date in reducing greenhouse gas emissions. The report recognises that the UK has met all carbon reduction targets so far, with a successful record of emissions reductions.

31. In relation to the nationwide commitment to reduce emissions by 68% in 2030, compared to 1990 levels, the report notes out that urgent action must be taken. The report sets out that, despite significant progress in reducing carbon emissions in 2023, the country is not on track to achieve its Net-Zero 2030 target.

32. The Executive Summary outlines that there was significant fall in emissions last year but notes that this fall was not enough. The CCC go on to state:

> *"Our assessment is that only a third of the emissions reductions required to achieve the 2030 target are currently covered by credible plans. Action is needed across all sectors of the economy, with low-carbon technologies becoming the norm."*

33. The CCC note that, following the election of the new Government, there is an opportunity to reset the UK's direction. The report sets out that the Government *"must send long-term consistent messages on the importance of climate action to businesses and households, back that up with key policies to support investment and focus on removing barriers to deployment".*

Electronic System Operator (ESO) Future Energy Scenarios (May 2023)[12]

34. The Electricity System Operator (ESO) are driving the changes needed to achieve the 2035 and 2050 targets. Future Energy Scenarios (FES) outline four different pathways for the future of the whole energy system to reach carbon zero by 2050.

35. Electricity storage at both transmission and distribution level is an efficient way to manage supply and demand by reducing the amount of generation and network investment needed to decarbonise. Energy storage is a key enabler of net zero.

36. Different durations of energy storage provide different benefits to the energy system. Two to four-hour storage typically helps meet short within-day variations in demand and supply, provide short-term reserve or help manage the real-time operability of the network. Longer duration storage can help secure the system over longer periods of high or low renewable generation output.

37. Currently in Great Britain, there is 2.8 GW of battery storage capacity (including consented, under construction, operational, in planning or pre-planning), mostly with 1-hour discharge duration.

[11] https://www.theccc.org.uk/publication/progress-in-reducing-emissions-2024-report-to-parliament/#publication-downloads

[12] https://www.neso.energy/publications/future-energy-scenarios-fes

Clean Power 2030 Action Plan[13]

38. DESNZ published its Clean Power 2030 Action Plan in December 2024, building on the advice of the National Energy System Operator (NESO) regarding the energy infrastructure required to achieve 95% of the UK's generation from clean power by 2030. Critically the report envisages a significant increase in battery storage capacity from the current capacity of 4.5 GW to 23-27 GW to facilitate the phasing out of fossil fuels and support a future UK energy mix dominated by solar and wind generation.

39. DESNZ estimates that Clean Power 2030 could require around £40 billion of investment on average per year between 2025 to 2030. The Clean Power 2030 Action Plan sets out a range of actions that the government will take to accelerate delivery, focusing on electricity networks and connections, planning and consenting, renewable and nuclear project delivery, short duration energy storage and flexibility, long-duration flexibility, and supply chains and workforce.

Cumberland Council Climate and Nature Strategy 2024

40. At a local level Cumberland Council has adopted its Climate and Nature Strategy in July 2024[14], the purpose of which is to "*set out the objectives, commitments and programmes that the Council (we) will deliver for climate and nature. It is a position statement and should be read as a working strategy for the next three years (2024-2027).*"

41. The Climate and Nature Strategy includes a sets of objectives to promote more sustainable places, practices, livelihood and lifestyles including "*encouraging small scale renewables and storage as local sources of heat and power.*" The Strategy recognises that Cumberland is already a source of renewable power, and this can grow to meet the needs of the UK.

[13] https://www.neso.energy/publications/clean-power-2030

[14] Report Template September 2021

Appendix 2 – Design Iteration Process

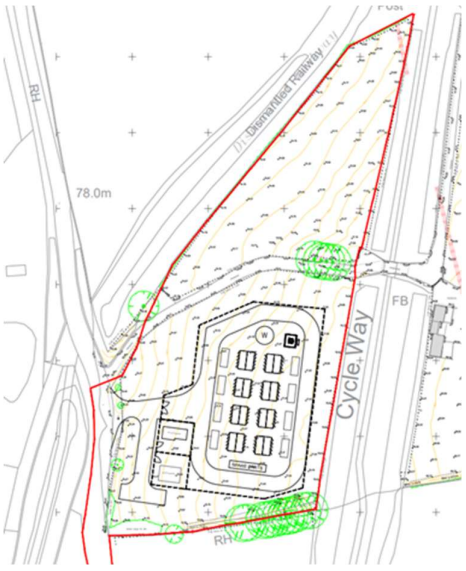
Key issues to respond to

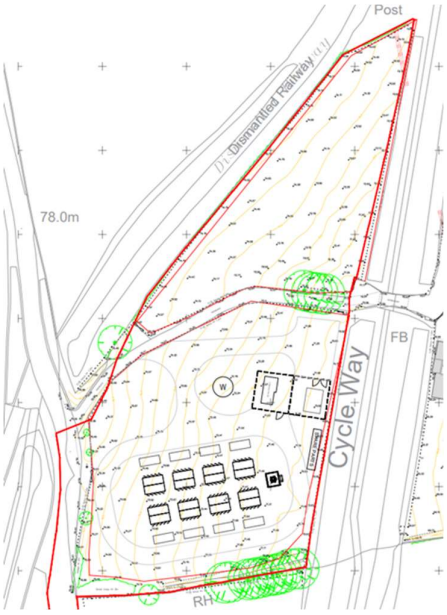
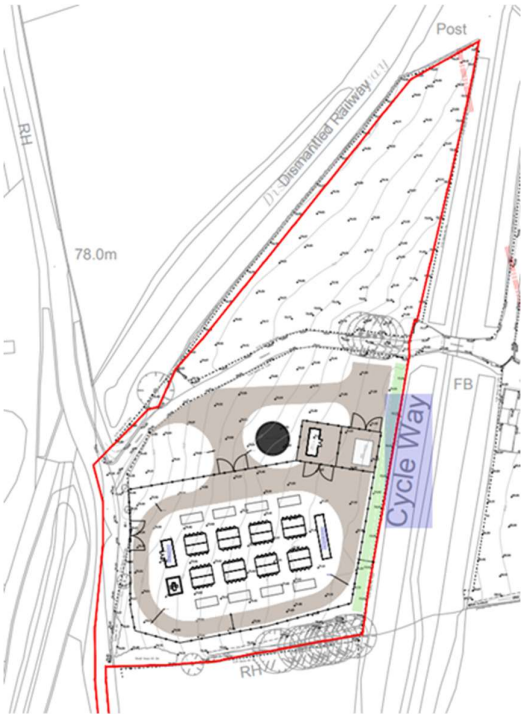
- Small site area, not much room to manoeuvre to still meet the requisite capacity and BNG/offsets to sensitive receptors;
- Presence of national cycle route along eastern boundary and its elevated position;
- Local road to the west offering views of the site;
- Surface water flooding in south-east of the site and drainage constraints with the land;
- Existing environmental assets such as trees and hedgerows which also form part of the established landscape character.

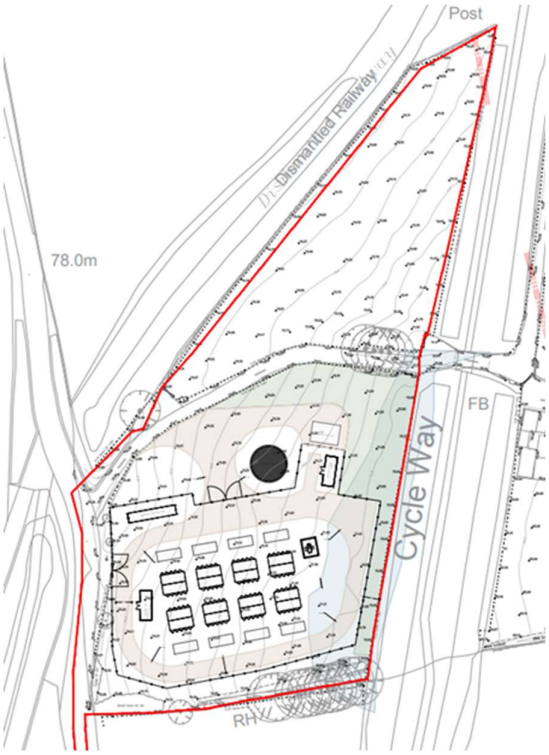
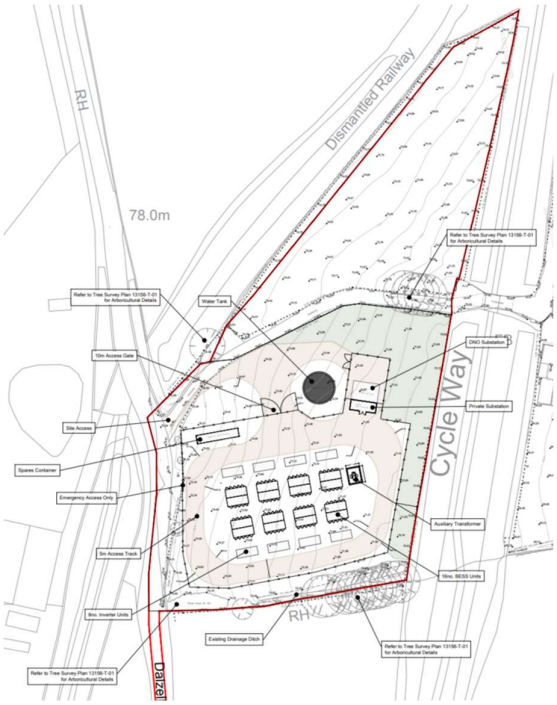
Key changes made

- Point of access and geometry – technical considerations, safety, avoiding removing hedgerow/leaving open views from Dalzell Street;
- Internal track realignment to make better use of space – orientation changed as part of this;
- Moving infrastructure out of area at risk of surface water flooding;
- Providing offset from western and eastern boundaries to allow space for planting – removal of excess access track/realignment of substation to make more efficient use of space and pull in fence line – whilst ensuring still functional from an operational perspective – access for construction and maintenance vehicles.

Timeline of route to final design

Preliminary Layout 	Initial site constraints and development requirements identified were identified by the Applicant. The indicative layout was produced to meet operational/capacity requirements within the limits of land ownership while retaining sufficient space to deliver on site biodiversity enhancements and protect existing environmental assets such as trees and hedgerows. The southern field was identified as the development area and the northern field as an area for BNG enhancements. The indicative layout was subsequently shared with the project team for comment.

Updated Layout v1 	Initial comments were received from the project team. The transport consultant recommended minor tweaks to the existing site access as being preferable to the creation of a new access from an operational perspective and avoided the need to remove hedgerow and/or grass verge/providing additional scope for planting to soften visual impact on users of the country lane. The orientation of the BESS area was subsequently changed to make better use of space which had become available through utilising the existing access.
Updated Layout v2 	Further comments were received from the project team as site survey and assessment work progressed. The internal access and fence line were pulled in to allow additional space along the eastern boundary for mitigation planting in response advice from the transport consultant and landscape architect.

Updated Layout v3 	Further tweaks made to the design in response to comments from the project team. An additional setback was provided along the eastern boundary and north east corner of the site to maximise space for tree planting and maintenance to provide a greater buffer for the national cycle route. This was achieved through repositioning the substations to allow additional planting to soften the visual impact of the development on users of the elevated cycle route. Minor changes were made to the internal access tracks for efficiency in response to movement of substations. All technical equipment (other than access tracks) was moved outside the area identified to be at risk of surface water flooding in the south-east corner following advice from the flood risk consultant. Additional planting space along western boundary was proposed.
Final Layout (16/04/2025) 	Minor changes made to internal access arrangements to reduce the amount of hardstanding required. All other issues raised addressed where possible to produce a design and layout responsive to site constraints and its surrounding context including sensitive receptors.

Appendix 3 - Public Consultation Letter issued to Local Residents and Key Stakeholders

STEPHENSON HALLIDAY

Planning, Landscape & Environment
an RSK company

Our Ref: 0995

20 March 2025

Dear Sir / Madam

JT Energy Storage Proposal – 60MW Battery Energy Storage System (BESS) on land near Woodend between Bigrigg and Cleator in West Cumbria

I write on behalf of Windel Energy Limited in relation to their proposal for 'JT Energy Storage', a new Battery Energy Storage System (BESS) with a proposed storage capacity of up to 60MWh on land near Woodend between Bigrigg and Cleator in West Cumbria.

As an occupier of a residential property in the local area, we are writing to ensure you are aware of the proposal and how you can provide feedback ahead of a formal planning application being submitted to Cumberland Council in May 2025.

This letter provides an initial introduction to Windel Energy (the applicant), the nature of the proposal and an overview of the planning process and how you can access further information via the project website.

About Windel Energy

Founded in 2018, Windel Energy is a privately held company dedicated to driving the transition towards a sustainable future. Specialising in the origination, development and integration of renewable energy projects and low-carbon disruptive technologies, Windel Energy is at the forefront of clean energy innovation.

With a portfolio exceeding 5 gigawatts of renewable power in various stages of development, our team of talented professionals bring a deep understanding & high level of expertise in land viability, electricity networks, planning TCPA, DNS and NSIP consenting, legal processes and construction feasibility.

At Windel Energy, we adopt a long-term ownership approach, ensuring the efficient operation and management of renewable assets. Leveraging an extensive network of relationships, institutional grade infrastructure and in-house industry expertise, we are committed to delivering impactful and enduring energy solutions.

Battery Storage

A Battery Energy Storage System (BESS) is an energy management solution that has a crucial role in decarbonising our National Grid. It is identified by Government as 'Critical National Infrastructure' as there are currently not enough battery storage facilities to enable the UK to store the amount of renewable energy needed to effectively decarbonise the electricity system.

BESS work by storing energy when levels of generation on the network outweigh the levels of demand. The electricity is then discharged immediately back onto the National Grid during periods of higher demand to ensure that any energy generated is not wasted and there is no loss of power to end users.

Postal address: 30-32 Lowther Street, Kendal, Cumbria, LA9 4DH +44 (0) 1539 739000.

E: info@stephenson-halliday.com | W: stephenson-halliday.com

Registered Limited Company in England 4179680. Registered Office: Spring Lodge, 172 Chester Road, Helsby, Cheshire, WA6 0AR, UK

Project Overview

Along with the rest of the UK, Cumberland Council has identified an urgent need to combat climate and nature challenges. In July 2024, Cumberland Council set objectives and commitments to overcome these challenges with one of the key areas of focus being energy and green growth.

To build upon Cumberland's renewable energy sources, Windel Energy is proposing to construct, install and operate a Battery Energy Storage System (BESS) and associated infrastructure and landscaping on land to the north of Woodend, immediately adjacent to Dalzell Street. The site covers an area of approximately 2 acres (0.84 hectares).

The proposal is currently in the design phase of development, with environmental and technical work ongoing and engagement with local stakeholders and the community now taking place. The development would comprise 16 BESS units providing a total storage capacity of 60MWh. Each BESS unit typically resembles a storage container, measuring approximately 6m long, 2.5m wide and 3m high. The expected construction timeline is 6 months, after which the BESS can begin supporting the UK's progress towards Net Zero.

Next steps

As a developer committed to increasing renewable energy provision, Windel Energy would value your thoughts on the proposal.

This letter provides a brief outline of the project. Further information on the proposal, including a site location plan and indicative layout, frequently asked questions (FAQs) together with a form to provide your feedback is available on the project website: www.JTEnergyStorage.co.uk.

We would encourage you to provide feedback using the form provided on our website. This will help us finalise the design prior to submission of the planning application. If you have any questions, please do not hesitate to contact us at JTEnergyStorage@Stephenson-Halliday.com.

The deadline for comments on the proposals is **14 April 2025** and we anticipate the application to be submitted to Cumberland Council in May 2025.

We look forward to hearing your thoughts on our proposals and answering any questions you may have.

Yours sincerely,

Helen Stocks

Associate Director (Planning)

Appendix 4: Development Plan Policies

Copeland Council Local Plan 2021-2039	Policy Text
Policy CC1: Large Scale Energy Developments (excluding nuclear and wind energy developments)	The Council is committed to supporting the transition to a carbon neutral future and will seek to maximise the renewable and carbon neutral energy generated in the Plan area where this energy generation is compatible with other sustainability objectives. The Council will support proposals for large scale renewable and carbon neutral energy schemes and other large scale energy developments, including (but not limited to) solar farms, geothermal, low-carbon and decarbonisation, hydrogen to energy plants, and battery stores. Careful consideration should be given to siting, scale and design of the development and associated infrastructure to avoid individual and/or cumulative impacts on the following: • Landscape character, including historic landscape character • Residential amenity • Visual amenity • Biodiversity • Geodiversity • Flood risk • Townscape • Coastal change • Heritage assets and their setting, including the St Bees and Whitehaven Heritage Coast • Highway safety • Aviation and defence navigation systems/communication • The amenity of sensitive neighbouring uses (including by virtue of noise, dust, odour, air quality, traffic, glare or visual impact) • The Outstanding Universal Value of the English Lake District and the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Sites • Water resources and water quality (including catchment land for public water supply purposes) Where proposals would result in significant adverse effects on the above, proposals will only be accepted where this harm is outweighed by the wider environmental, economic, social and community benefits and in the case of the historic environment balanced against public benefit. Where harm is unavoidable, the planning application must include details of mitigation measures proposed in order to overcome or reduce such harm.

Proposals will only be considered suitable where it can be demonstrated that the planning impacts identified by local communities during consultation have been taken into account.

Where renewable energy installations become non-operational for a period in excess of six months, the facility must be removed and the site fully restored to its original condition within one year. Additionally, a detailed plan that sets out how any impacts will be managed during construction and restoration must be submitted to the satisfaction of the Council.

Policy DS1: Settlement Hierarchy

Development must be proportionate in terms of nature and scale to the role and function of the settlement, unless it has been identified within the Plan to meet the strategic growth needs of Plan area.

The amount of development (housing, retail and leisure, employment) apportioned to each tier of the hierarchy is identified within the relevant chapter. Delivery will be closely monitored against these figures.

Hierarchy of Settlement	Definition	Settlements
Principal Town	Definition Settlements Principal Town The largest settlement in terms of population by a considerable margin with the broadest range of day-to-day services including the West Cumberland Hospital, a number of secondary schools and an extensive choice of convenience and comparison goods stores and employment opportunities. Well connected to neighbouring settlements by public transport. The town will continue to be the primary focus for new development in the Plan area (town centre, retail, employment and housing), with large scale housing extensions, windfalls and infill development.	Whitehaven
Key Service Centres	Copeland's towns are self-sufficient providing a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. They also act as service hubs for nearby villages. The focus will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.	Cleator Moor Egremont Millom
Local Service Centres	These centres have a supporting role to Copeland's towns containing a broad range of services. Settlements operate independently to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes a mile or less in length.	Arcledon & Rowrah Cleator Distington & Common End

	These centres have a supporting role to Copeland's towns containing a broad range of services. Settlements operate independently to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes a mile or less in length.	Frizington & Rheda Haverigg Seascale St Bees Thornhill
Sustainable Rural Villages	Settlements which offer a limited number of services but which could support a limited amount of growth to maintain communities. The focus will be to support the retention and small scale growth of existing services and businesses. Small scale housing allocations, windfall and infill development will be supported in principle. The focus for employment development will be Whitehaven Commercial Park.	Bekermet Bigrigg Drigg Ennerdale Bridge Holmrook Moresby Parks Moor Row Lowca Parton
Rural Villages	Smaller settlements which offer one or two key services but which are physically separated from settlements within a higher tier. Public transport and pedestrian links are poor therefore reliance is likely to be on the private vehicle. Limited development would enable future housing needs to be met and support existing local services. Existing services will be retained and development will be small scale, and primarily windfall and infill developments.	Calderbridge Hallthwaites Keekle Kirkland Kirksanton Summergrove The Green
Open Countryside	Remaining parts of the Copeland Local Plan Area including smaller settlements or areas of sparse development not listed above. Policy DS2 lists the exceptional circumstances where development within the open countryside would be supported.	
LDNPA 'Rural Service Centres' close to the Copeland Local Plan boundary	Settlements within Copeland but outside the jurisdiction of the Copeland Local Plan. Please see the Lake District National Park Local Plan for further information regarding these.	Gosforth

	LDNPA 'Villages' close to the Copeland Local Plan boundary		Silecroft Remaining part of Ennerdale Bridge

Policy DS2: Settlement Boundaries	Settlement boundaries are identified for all settlements in the hierarchy and are shown on the Local Plan Proposals Map. Development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. To ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases: 1) Where the proposal is for housing and; a) the site is well related to and directly adjoins an identified settlement boundary; and b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or • there has been previous under-delivery of housing against the requirement for 3 years or more or • the proposal is for a specific type of housing supported by Policies H15, H16 or H17. 2) The proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the Council: • Nuclear related developments • Renewable energy proposals, including wind farms • Essential infrastructure to support energy developments and other infrastructure • Appropriate rural developments such as agricultural, forestry, farm diversification or tourism proposals which are dependent on such a location
Policy DS4: Design and Development Standards	The Council will expect all new development to meet high-quality design standards which contribute positively to the health and wellbeing of residents. This means that developments must: a) Make use of existing buildings on site wherever practicable and deliverable, unless they have a negative impact upon the street scene;

b) Create and enhance locally distinctive places which are sympathetic to the surrounding context of the built, historic and natural environment and local landscape character;

c) Use good quality building materials that reflects local character and vernacular and are sourced locally where possible;

d) Incorporate high quality, inclusive and useful open spaces;

e) Create layouts that provide safe, accessible and convenient pedestrian and cycling routes that encourage walking and cycling based on Active Design principles and provide connections to existing walking and cycling routes where possible;

f) Not give rise to severe impacts on highway safety and/or a severe impact on the capacity of the highway network and allow for the safe access and manoeuvring of refuse and recycling vehicles. Should a development create such an impact then mitigation measures will be sought;

g) Take the needs of people with mental and physical disabilities into consideration, including through adopting dementia friendly principles;

h) Create opportunities that encourage social interaction;

i) Be built to an appropriate density that enables effective use of land, whilst maintaining high levels of amenity;

j) Be of flexible and adaptable design where appropriate;

k) Incorporate measures to design out crime and reduce the fear of crime, taking into consideration secured by design principles;

l) Be laid out in a way that maximises solar gain to internal spaces to promote energy efficiency and sustainable solutions;

m) Use appropriate levels and types of external lighting that does not create light pollution and helps maintain dark skies in line with up to date good lighting guidance;

n) Mitigate noise pollution through good layout, design and appropriate screening;

o) Address land contamination and land stability issues with appropriate remediation measures;

p) Include water efficiency measures such as rainwater recycling measures, green roofs and water butts where possible and appropriate; and

q) Ensure there is appropriate provision to allow residents to recycle household waste.

Developers must take a comprehensive and co-ordinated approach to development by respecting existing site constraints including utilities infrastructure on site. Applications for major development proposals should also produce and include a Construction Environmental Management Plan as part of their applications.

Policy DS5: Hard and Soft Landscaping	Where appropriate a high-quality landscaping scheme should be submitted with all proposals for development. This should include: - A management plan which identifies all existing trees, hedgerows, ponds and other wildlife features and demonstrates how they will be integrated within the development. Landscaping should be well assimilated into the wider surrounding landscape. - Details of the position, species and number of new trees, hedgerows and landscape features. Species used should be appropriate for the location and should be native where possible with consideration given to future growth rates and proximity to buildings. - Details of any trees, hedgerows and landscape features that will be lost or replaced - Details of any hard landscaping proposed including materials, levels etc. - Details of future maintenance of the landscaping and replacement/replanting should the landscaping fail. Ancient hedgerows or woodlands should only be removed in exceptional circumstances in accordance with the National Planning Policy Framework. Consideration should be given to the role landscaping can play in reducing surface water discharge, for example through the planting of trees, the use of permeable surfacing for driveways etc. Opportunities should be taken to connect new areas of soft landscaping to existing areas of green infrastructure networks where possible.
Policy DS6: Reducing Flood Risk	The Council will ensure that flood risk is reduced and mitigated in Copeland through: a) Directing development to allocated sites outside areas of flood risk where possible, unless it can be demonstrated that it would provide wider sustainable benefits outweighing the flood risk and that the development would be safe for its lifetime without increasing flood risk elsewhere; b) Only permitting windfall development in areas of flood risk where applicants have carried out the flood risk sequential and exception tests to the satisfaction of the Council and appropriate mitigation is provided; c) Supporting measures to address the constraints of existing drainage infrastructure capacity; d) Avoiding development in areas where the existing drainage infrastructure is inadequate, unless appropriate mitigation is provided; e) Supporting new flood defence measures to protect against both tidal and fluvial flooding in the Plan area, including appropriate land management as part of a catchment wide approach; f) Ensuring that any development that incorporates flood mitigation strategies does not have adverse effects on water quality; g) Requiring the provision of Sustainable Drainage Systems where appropriate; and

	h) Working with partners to manage the risks associated with coastal erosion and flooding and ensure that all new development is located outside areas identified as being at risk either now or in future revisions of the Shoreline Management Plan.
Policy DS7: Sustainable Drainage	New development must incorporate Sustainable Drainage Systems unless it can be demonstrated that this not appropriate. Drainage systems should be well designed with consideration given to the additional benefits they can provide as spaces for landscape, biodiversity and recreation. Development on greenfield sites should seek to achieve pre-development or better levels of surface water run-off and on previously developed sites, a reduction in surface water discharge should be sought. In demonstrating a reduction clear evidence of existing connections from the site and associated rates of discharge calculations should be provided. In both cases, measures should be put in place to prevent pollution entering watercourses with surface water managed at source. Where identified on the local validation list applicants should submit a Drainage Strategy that shows how foul and surface water will be effectively managed and maintained. Where SuDS are being incorporated details of their long-term management should be provided. This will be secured through the use of s106 agreements. Surface water should be discharged in the following order of priority: 1. To a suitable soakaway or some other form of infiltration system 2. An attenuated discharge to a surface water body such as a watercourse giving full consideration to the catchment and sub-catchments 3. An attenuated discharge to a public surface water sewer, highway drain or another discharge system where there is clear evidence, to the satisfaction of the Council, that alternative preferred options are not available 4. An attenuated discharge to a public combined sewer where there is clear evidence, to the satisfaction of the Council, that alternative preferred options are not available
Policy DS8: Soils, Contamination and Land Stability	**Soils** In order to reduce soil degradation and surface water run-off developers are required to: • Use sustainable construction measures as set out in the Construction Code of Practice for Sustainable Use of Soils on Construction Sites; • Submit a Soil Resource Plan with applications for major development on greenfield sites; • Provide details of how any adverse impacts on the soil resource can be avoided or mitigated; and • Avoid development that results in the loss of best and most versatile agricultural land or areas of deep peat where possible. **Contamination and Land Stability**

	The Council will proactively work with developers and other partners to identify opportunities to remediate contaminated and unstable sites. Development sites likely to have caused detriment to land quality will need to be risk assessed. Some sites will be more sensitive due to the location of sensitive environmental and human health receptors e.g. flood risk areas, surface waters, vulnerable aquifers, housing, schools, hospitals, children's play areas. It is the developer's responsibility to secure safe development and provide the necessary information at the time of the application. The minimum information that should be provided by an applicant is the report of a Preliminary Investigation (desk study, site reconnaissance and preliminary risk assessment) or Coal Mining Risk Assessment, where necessary. The findings of this assessment should determine if further investigation is needed. Where contamination and/or land stability issues are identified, development proposals should incorporate appropriate remediation and subsequent management measures to remove unacceptable risks. The full implementation of approved remediation measures will normally be required prior to the commencement of, or the occupation of, the proposed development of any phase.
Policy SC1: Health and Wellbeing	The Council will promote health and wellbeing in Copeland by supporting new development that: • Delivers high quality, safe developments; • Enhances our natural environment, through improved air and water quality; • Promotes active travel; • Protects or delivers green infrastructure, open spaces, sports, cultural and community facilities or seek developer contributions for such facilities; • Supports access to open spaces and the countryside; • Improves health, social and cultural wellbeing; • Creates spaces for food growing; • Opens up educational facilities for community use and securing such use through Community Use Agreements where appropriate; • Creates mixed communities through new or improved developments that are located in areas with access to key services to reduce social isolation and create community resilience; • Implements the policies within the Local Plan to help deliver high quality, safe developments and enhance our natural environment, improving air and water quality; • Implements the policies within the Local Plan that promote active travel and protect or deliver new open spaces, sports, cultural and community facilities;

	• Implements policies within the Local Plan that support access to open spaces and the countryside; • Supports local strategies to improve health, social and cultural wellbeing; • Supports local communities to create spaces for food growing; and • Supports and enables people to live within their communities for longer via adaptations and specialist housing. The Council will seek developer contributions where appropriate towards new or improved sports, recreational, and community facilities taking account needs identified within its Sports and Playing Pitch Strategies and other relevant documents.
Policy N1: Conserving and Enhancing Biodiversity and Geodiversity	The Council is committed to conserving Copeland's biodiversity and geodiversity including protected species and habitats. Potential harmful impacts of any development upon biodiversity and geodiversity must be identified and considered at the earliest stage Proposals must demonstrate, to the satisfaction of the Council, that the following mitigation hierarchy must have been undertaken: **Avoidance** – Biodiversity and geodiversity must be considered when drafting up proposals and any potential harmful effects on biodiversity and geodiversity must be identified along with appropriate measures that will be taken to avoid these effects. **Mitigation** - Where harmful effects cannot be avoided, they must be appropriately mitigated in order to overcome or reduce negative impacts. **Compensation -** Where mitigation is not possible or viable or in cases where residual harm would remain following mitigation, harmful effects should be compensated for. Where this is in the form of compensatory habitat an area of equivalent or greater biodiversity value should be provided. Compensation is a last resort and will only be accepted in exceptional circumstances. Where harm remains to a National Site Network, Ramsar site, or functionally linked land, or Site of Special Scientific Interest, development will only be approved where it can be demonstrated that there are imperative reasons of overriding public interest. In such cases, compensatory measures must ensure the overall coherence of the network of European or National Sites as a whole is protected. Planning permission will be refused for any development if significant harm cannot be avoided, mitigated or compensated for. A Construction Environmental Management Plan should be submitted where appropriate and sustainable construction methods must be used where possible. Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle.
Policy N3: Biodiversity Net Gain	All development, with the exception of that listed in the Environment Act 2021 and any documents which may supersede it must provide at least 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1 above. This is in addition to any compensatory habitat provided under Policy N1.

	Net gain should be delivered on site where possible. Where on-site provision cannot be achieved in full, the remaining provision must be made elsewhere. This should be provided in order of the following preference: 1. Off site in an area identified as a Local Nature Recovery Network in the Plan area; 2. Off site on an alternative suitable site within Cumberland ; 3. Off-site on an alternative suitable site; 4. Through the purchase of off-site biodiversity units on the market; 5. Through the purchase of an appropriate amount of national biodiversity credits. Sites where net gain is provided (on or off site) must be managed and monitored by the landowner for a minimum period of 30 years. Where appropriate applicants should supply a Habitat Creation Plan and a Habitat Management and Monitoring Plan (HMMP). Monitoring reports detailing the site's condition post-enhancement must be submitted to the Council each year over this period. Where there is evidence of deliberate neglect or damage to any of the habitats on development sites in order to reduce its biodiversity value the biodiversity predevelopment value of the onsite habitat will be calculated as the biodiversity value of the habitat on the date immediately before the degradation took place.
Policy N5: Protection of Water Resources	New development must seek to protect or improve the quality of surface and groundwater water resources, including designated coastal Bathing Waters and Shellfish Waters downstream. Proposals should follow the hierarchy for wastewater treatment with foul drainage connected to mains sewer wherever possible. New development should not be operational or occupied until such time as adequate waste water infrastructure has been provided. Where an affected development within the catchment of the Derwent and Bassenthwaite Lake SAC (or any other catchment identified by the Government as being affected by nutrient neutrality in the future) this must not result in adverse impacts on the integrity of the SAC through the creation of nutrient pollution, unless suitable solutions are identified through an Appropriate Assessment to ensure no residual harm remains following mitigation. Mitigation will need to be deliverable, certain and provided in perpetuity.# The possibility of contamination from former uses on any application site and its effects on the water environment and human health needs to be considered and remediated where it is present. Proposals will be required to support the objectives of the Water Framework Directive, including the objectives for Protected Areas (such as Bathing Waters and Shellfish Waters) as set out in the North West River Basin Management Plan. New development should ensure there is sufficient water resource available to meet current and future needs, without putting the environment at risk. Wherever possible development should include water efficiency and saving measures.
Policy N6: Landscape Protection	Copeland's landscapes will be protected and enhanced by: a) Supporting proposals which enhance the value of Copeland's landscapes;

	b) Protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value; c) Ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage Coast where proposals could impact on their setting and views into and from the National Park or Heritage Coast; d) Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided. Proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment. Development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit and where appropriate, the Lake District National Park Landscape Character Assessment108 from the earliest stage.
Policy N9: Green Infrastructure	A comprehensive, high quality network of green infrastructure will be identified through a Green Infrastructure Strategy for the Copeland Local Plan Area. This network will connect our towns and villages to the more rural parts of Copeland and the coastline and will be formed of a variety of GI types including open countryside, green wedges, protected open spaces, local green spaces, playing fields, rivers, ponds, grass verges, woodlands and trees, private gardens, green walls and green roofs. The amount of green infrastructure on the development site should be maximised and developers should take opportunities to create new connections, expand networks and enhance existing green infrastructure to support the movement of plants and animals. Green infrastructure should be multi-functional where possible and should be considered at the start of the design process.
Policy N14: Woodlands, Trees and Hedgerows	Existing trees and hedgerows which contribute positively to the visual amenity and environmental value of their location will be protected. Developers should incorporate additional native tree planting and hedgerows into new developments where possible and appropriate. Development proposals which are likely to affect any trees within the Plan area will be required to: 1) Include an arboricultural assessment as to whether any of those trees are worthy of retention and protection by means of a Tree Preservation Order 2) Submit proposals to replace or relocate any trees that are to be removed with net provision at a minimum ratio of 2:1. Replacement trees should be planted on site and native species should be used where possible. Where

	this is inappropriate or unviable, off site provision and/or alternative species would be considered. Any proposed works to trees within Conservation Areas, or those with Tree Protection Orders, will be required to include an arboricultural survey to justify why works are necessary and that the works proposed will, where possible, not adversely affect the amenity value of the area. New development should not result in the loss of or damage to ancient woodland or veteran or aged trees outside woodland unless there are wholly exceptional reasons and a compensation strategy exists. This could include Nationally Significant Infrastructure Projects and Orders under the Transport and Works Act.
Policy BE1: Heritage Assets	Heritage assets and their setting will be preserved and enhanced by: • Requiring a Heritage Impact Assessment or Heritage Statement where the proposal would affect a heritage asset • Maintaining up-to-date records of the character and significance of Conservation Areas through Conservation Area Appraisals and management plans • Giving great weight to the conservation of Copeland's designated heritage assets when decision making • Ensuring that new development is sympathetic to local character and history • Promoting heritage-led regeneration initiatives in Copeland, particularly within the town centres • Continuing to identify heritage assets that are "at risk" and work with partners to develop strategies for their protection • Supporting proposals for the appropriate reuse of vacant historic buildings, recognising that putting buildings into viable uses consistent with their conservation can help sustain and enhance their significance • Supporting proposals that increase the enhancement, promotion and interpretation of Copeland's architectural and archaeological resources • Preserving and enhancing the Outstanding the Universal Value of the Frontiers of the Roman Empire (Hadrian's Wall) and English Lake District World Heritage Site including their integrity and authenticity. Proposals that may have an impact on the World Heritage Sites or their setting should accord with the World Heritage Site Management Plan. • Producing a local list of non-statutory but locally important heritage assets which are of architectural or historic interest or make a significant contribution to the character and/or appearance of the area. • Strengthening the distinctive character of Copeland's settlements, through the application of high-quality design and architecture that respects this character and enhances the setting of heritage assets.

	Particular attention will be paid to the conservation and enhancement of those elements which contribute most to Copeland's distinctive character and sense of place, several of which are listed in paragraphs 16.2.1 to 16.2.5.
Policy BE2: Designated Heritage Assets	Development should preserve or enhance designated heritage assets (or an archaeological site of national importance) and their setting. The more important the asset, the greater weight that will be given to its conservation. Proposals that better reveal the significance of heritage assets will be supported in principle. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification. Development that will lead to substantial harm to, or total loss of significance to, a designated heritage asset, will only be accepted where there are substantial public benefits that outweigh the harm or where all of the following apply: a) all reasonable uses of the site have been fully considered and all reasonable uses of the site are prevented by the nature of the heritage asset; and b) no viable use can be found in the medium term through appropriate marketing that will enable its conservation; and c) all options for conservation by grant-funding or some form of not for profit, charitable or public ownership have been explored and the applicant can demonstrate none are possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use Substantial harm to, or loss of: • Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional; • Scheduled Ancient Monuments, protected wreck sites, registered battlefields, Grade I and II* listed buildings, Grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. Where loss of the whole or part of a designated asset is accepted, the developer will be required to take all reasonable steps to ensure that the new development will proceed after the loss has occurred. The following may also be required: 1) The undertaking of an appropriate level of survey and making of a public record which may also include an archaeological excavation 2) The provision or replacement of comparable quality and design 3) The salvage and reuse of special features within the replacement development **Conservation Areas**

	Proposals that preserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance will be supported. Demolition within a Conservation Area will only be permitted where the building does not make a positive contribution to the character and appearance of the Area.
Policy BE3: Archaeology	Proposals affecting archaeological sites of less than national importance (or local significance) should preserve those elements which contribute to their significance in line with the importance of the remains. Where there are potential archaeological interests on the site, a desk-based assessment must be submitted alongside the planning application and where this identifies that archaeological interests are likely, a field evaluation will be required. Development must protect, and should where possible, reveal and allow public interpretation of, any archaeological remains in situ. Where remains cannot be preserved or managed in situ the developer will be required to make suitable provision for excavation and recording before and during development. The findings should be submitted to the Local Planning Authority and deposited with the Historic Environment Record.
Policy BE4: Non-Designated Heritage Assets	Development should preserve or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle. Proposals affecting non-designated heritage assets or their setting should demonstrate that consideration has been given to the significance of any heritage assets affected, including any contribution made by their setting. Where the scale of any harm or loss and the significance of the heritage asset outweighs the benefits of the proposal the development will be resisted. Where loss of the whole or part of a non-designated asset is accepted, the developer will be required to take all reasonable steps to ensure that the new development will proceed after the loss has occurred. The following may also be required: 1) An appropriate level of survey is undertaken and public record made which may also include an archaeological excavation; 2) Provision or replacement of comparable quality and design; 3) The salvage and reuse of special features within the replacement development