

Sunbury BESS – an important update:

Those who have been following the progress of the planning application to build a large Battery Energy Storage System on Green Belt land adjacent to the Charlton Lane EcoPark may have noticed that activity on the relevant Spelthorne planning portal page went rather quiet following the original expiry date of the consultation period on 14 February.

Recently however two sets of documents have appeared on the site. One of these sets contains three drawings titled '3D views' and might have been expected to have answered one of the many outstanding questions of the application, namely what the overall proposed development would actually look like. Unfortunately they do no such thing. One of the drawings is simply a re-submission from the original January application, of a single cluster of three industrial containers. The other two are computer-generated isometric diagrams which do cover the whole site but are only partially populated with the 144 containers and ancillary plant which is proposed. No attempt has been made to include any landscaping features or provide an accurate visual appearance, so we are really no further forward in that regard.

The second set is of three documents titled 'EIA Screening Opinion'. This relates to a document called the 'Environmental Impact Assessment', which is a requirement of UK planning regulations (Town and Country Planning (Environmental Impact Assessment) Regulations 2017) which describe its purpose thus:

'The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.'

'The aim of Environmental Impact Assessment is also to ensure that the public are given early and effective opportunities to participate in the decision making procedures.'

When the Applicant's agent contacted LOSRA last summer to introduce the proposed scheme, we were extremely surprised to be told that the Applicant had been advised by Spelthorne Planning that the scheme had been assessed as **not requiring an EIA**. Since no further information was provided with respect to this decision we have had to restrain our incredulity until these 'EIA Screening Opinion' documents were placed on the portal. Now that we have seen the documents, it is fair to say that our incredulity has been compounded, because:

- The EIA assessment was carried out in May 2022 on an earlier scheme by the developer that was significantly different to that which forms the current application.
- The **Screening Opinion** document provided by Spelthorne Planning states that the development is not '*above the Indicative Threshold and Criteria (Annex) in paragraph 58 of the Planning Practice Guidance*' because '*the site area is less than 5 hectares*'. However the area of the site in the planning application is stated to be 5.86 hectares.
- In the same document the proposed development is correctly categorised as '*Schedule 2, category 3(a) Energy Industry*' which is described as '*Industrial installations for the production of electricity, steam and hot water*'. However, in the Regulations the relevant Schedule 2 table shows the threshold area criteria being '*The area of the development exceeds 0.5 hectare*.' – not 5 hectares!

- A second document is called **SCHEDULE 3 SELECTION CRITERIA FOR SCREENING SCHEDULE 2 DEVELOPMENT** and sets out an assessment of the submitted scheme against a number of environmentally sensitive criteria. Amongst other things it states:
 - *'The area of the scheme falls below the 5 hectare indicative criteria and threshold (the site is 2.83 ha.). The proposed development comprises 80 battery containers, 80 invertors, 40 transformers with associated fencing.'* – thereby indicating just how different the assessed scheme was from that in the current application.
 - *'the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge. N/A.'* Writing that risk off as **Not/Applicable**, when the fire and rescue services consider the risk of fire from lithium battery thermal runaway to be so significant that they require 225,000 litres of water to be stored on the site in order to be able to fight such a fire for 2 hours, seems somewhat strange.
 - *'the risk to human health (for example, due to water contamination or air pollution). N/A.'* Again **Not/Applicable** seems an odd conclusion, given the nature of the toxic chemicals emitted by a lithium battery fire in its smoke plume and also passed into the ground with the huge amounts of water needed to try to quench it.

Given the points made above, we have asked the Spelthorne planning officer to explain why the Applicant was not required to resubmit the actual scheme for EIA appraisal, particularly as other BESS applications elsewhere in the country have rightly had to provide Environmental Impact Assessments as part of their submissions. We will update the LOSRA website with any response received. In the meantime the planning portal is still open for further comments, should residents wish to make them.