

PARISH

Tibshelf Parish

APPLICATION	Installation and Operation of Energy Storage System (ESS) including Energy Storage Units, Substation, Site Access, Landscaping & Associated Infrastructure		
LOCATION	Hurst Farm Mansfield Road Tibshelf Alferton		
APPLICANT	LIGHTSOURCE SPV 18 LIMITED C/O Agent		
APPLICATION NO.	25/00302/FUL	FILE NO.	PP-13968279
CASE OFFICER	Mr Jonathan Gaynor		
DATE RECEIVED	11th July 2025		

SUMMARY

The application requires planning committee consideration in accordance with the officer scheme of delegation, as it is recommended for approval but is contrary to countryside policies in the Council's Local Plan.

This planning application seeks temporary planning permission for an Energy Storage System (ESS) at land at Hurst Farm, Tibshelf. The ESS will operate for a period of forty years before the development is decommissioned and the land returned to its former state, except for the substation and associated infrastructure that will remain a permanent feature to be adopted by the Distribution Network Operator (DNO).

The ESS stores electricity in batteries and releases it into the network when needed, helping balance supply and demand and supporting the growth of renewable energy generation by increasing the capacity that is available to store energy that is generated. The proposed development is projected to have a storage capacity of 99.9MWac.

The applicant provides that the location of the proposed development is the result of extensive engagement with National Grid Electricity Distribution (NGED) to ensure that the proposal can be delivered, in addition to policy and other feasibility considerations through a robust site selection process.

The key consideration is whether the weight that should be afforded to the economic and environmental benefits of the proposed development outweighs the visual and heritage impacts; countryside location and setting of Hardwick Hall.

On balance, the location of the site, topography of the land and proposed design and planting limits the visual impact to few points around Hardwick Hall. The impact on heritage assets is therefore considered on the low end of 'less than significant'. While detached from the farm complex and resulting in a degree of visual industrialisation of the countryside location, it is read to some extent in the context of the existing pylons and power lines, and the M1 motorway which is adjacent. The conflict with countryside policies of the Local Plan and harm identified is considered to be outweighed by benefits of the development, having regard to the importance of energy security, the importance of supporting the provision and use of renewable energy, national policy and guidance and related appeal decisions.

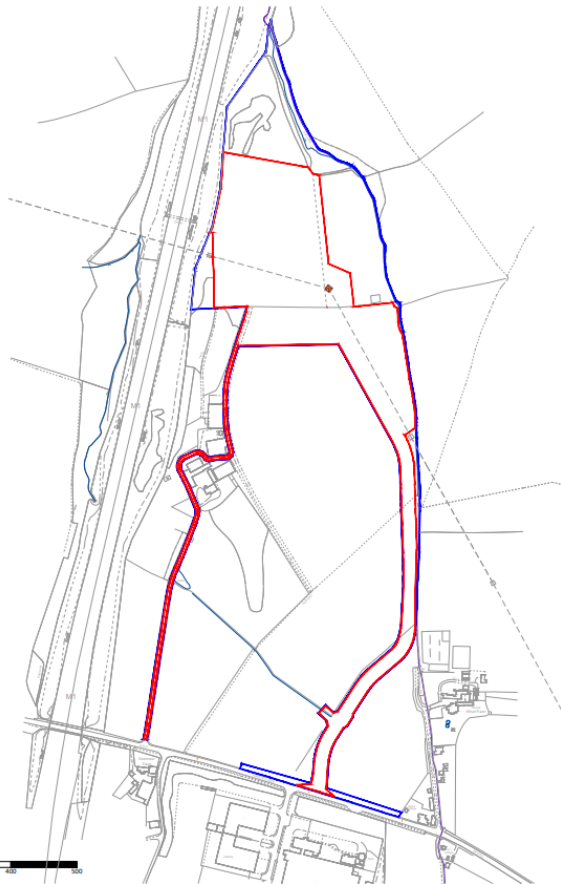
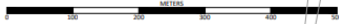
Site Location Plan



Area 79,558 m² (19.66 acres)

KEY:
Red Line - Planning Application
Boundary
Blue Line - Landlord's Property

ISO full bleed A3 (420.00 x 297.00 MM)



GBR_Hurst Farm_AD - SLP_07			
DA	CH	APPROVED	DATE
			22.07.2025
PROJECT NAME & ADDRESS			
Location: Mansfield Rd, Tibshelf, Chesterfield, Derbyshire			
Postcode: DE55 5NP			
Appl No	Scale	Sheet	
AD	1:5000	1	
DRAWING NUMBER		STATUS	
AD-SLP		Preliminary	
			
lightsource Renewable Development Limited, 7th Floor, 33 Holborn, London, EC1N 2HT General: +44 (0) 133 200 0755 Web: www.lightsourcebp.com info@lightsourcenrda.com			

OFFICER REPORT ON APPLICATION NO. 25/00302/FUL

SITE & SURROUNDINGS

The site comprises approximately 7.9 hectares of agricultural land at Hurst Farm, Tibshelf. The farm building complex sits at the end of a long access road off Mansfield Road, to the east of the M1 motorway. The main part of the application site comprises a detached and distinct agricultural field to the north of the farm complex, with topography that drops from west to east. The remainder of the site comprises sections of agricultural fields linking back to Mansfield Road from which the primary access will be carved. The existing farm access is included within the site as a secondary / emergency access. Public rights of way run through and adjacent to the site (Footpaths 35 and 36). Agricultural fields generally surround the site, with areas of scrub, the M1 motorway to the west and Sawpit Lane Industrial Estate beyond Mansfield Road to the south.

BACKGROUND

Prior to the submission of this application, the applicant engaged in pre-application advice and requested an Environmental Impact Assessment screening opinion from the Local

Planning Authority, that determined an Environmental Impact Assessment was not required. The pre-application advice set out the heritage and landscape constraints, that have been explored through the submissions accompanying the planning application.

PROPOSAL

The application proposes the 'Installation and Operation of Energy Storage System (ESS) including Energy Storage Units, Substation, Site Access, Landscaping & Associated Infrastructure'. This comprises the following elements:

- 1 x 132kv Substation including LSbp Switch and Control Room and NGED Control Room along with associated infrastructure comprising cabling, Generator, Glass-Fibre Reinforced Polyester (GRP) Enclosure, CCTV and lighting;
- 19 x Energy Blocks (comprising 4 x BESS Enclosures);
- 19 x MV Skid (comprising 2 x Power conversion systems (PCS) and 1 x Medium Voltage (MV) transformer);
- 1 x Monitoring House;
- 4 x Back-Up Generator;
- 1 x Storage Unit;
- 1 x Toilet;
- 1 x Glass-Fibre Reinforced Polyester (GRP) Enclosure;
- 6 x Spares Containers;
- 1 x Electric Vehicle Charger 4 x Auxiliary Transformers;
- 76 x BESS Lighting Pole;
- 16 x CCTV;
- Security Fencing and Access Gates;
- Drainage Infrastructure;
- Access and Tracks;
- Cable Connection; and,
- Landscaping.

The ESS stores electricity in batteries and releases it when needed, helping to balance energy supply and demand. The proposed development is projected to have a storage capacity of 99.9MWac. The planning application seeks temporary permission for a period of 40 years from the date it is first brought into use. All proposed above ground elements, with the exception of the substation and associated infrastructure, will be removed as part of the decommissioning phase at the end of the 40 year period and the land returned to its pre-development state. The substation and associated infrastructure will remain a permanent installation adopted by the Distribution Network Operator (DNO).

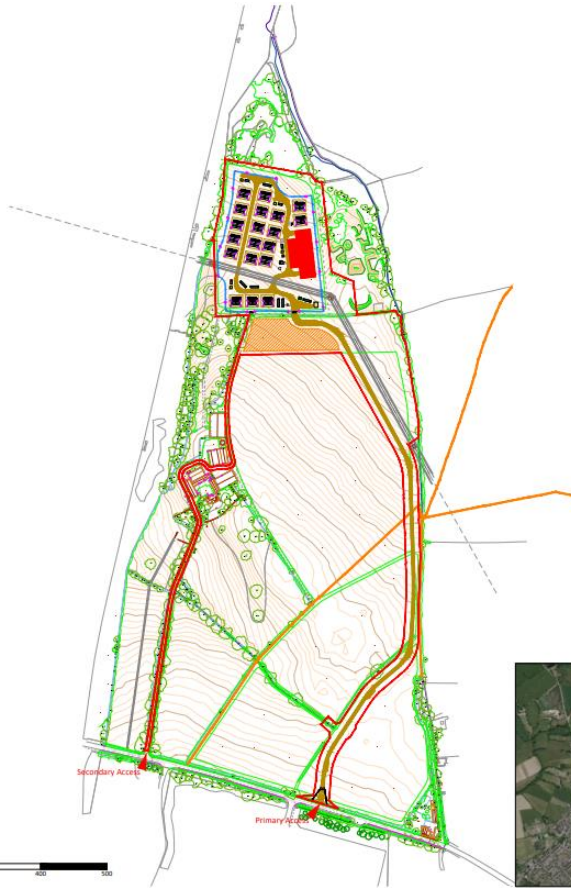
The site will include a temporary construction and decommissioning compound, the formation of an access track from Mansfield Road (with the existing farm track forming a secondary / emergency access), connection to the 132kw overhead line that runs east-west over the site and delivery of biodiversity net gain through the creation and improvements of habitats and planting.



Area 79,558 m² (19.66 acres)

	Site Boundary
	Site Access
	132 kV Substation
	BESS Enclosure x 2
	MV Skid
	Monitoring House
	Storage
	GRP
	Backup Generator
	Auxiliary Transformer
	BESS Security Fence
	DNO Generator
	DNO GRP
	EV Charger
	Parking
	Access Road
	Access Gates
	CCTV
	BESS Lightning
	Toilet
	Entrance wall and gate
	Public Right of Way

ISO full bleed A3 (420.00 x 297.00 MM)



Scale 1:25000



DA			22.09.2025
DESIGN	CHECKED	APPROVED	DATE
PROJECT NAME & ADDRESS			
Location: Ward Farm			
Postcode: DE55 5TZ			
NOTES			
Page Size	A3	Scale	1:25000
Sheet			1
CAPACITY			
DRAWING TITLE			
GBR_Murle_LP2-POL-BESS_05			
DRAWING NUMBER			
LP2-POL			
STATUS			
Preliminary			
lightsourcebp			
lightsource Renewable Development Limited, 27th Floor, 22 Holborn, London, EC1N 2TJ General: +44 (0) 203 200 0755 Web: www.lightsourcebp.com info@lightsourcebp.com			



	Site Boundary
	Site Access
	132 kV Substation
	BESS Enclosure x 2
	MV Skid
	Monitoring House
	Storage
	GRP
	Spares Container
	Backup Generator
	Auxiliary Transformer
	BESS Security Fence
	DNO Generator
	DNO GRP
	EV Charger
	Parking
	Access Road
	Access Gates
	CCTV
	BESS Lightning
	Toilet
	Entrance wall and gate
	Public Right of Way

Supporting Documents

- Location Plan GBR_Hurst Farm_AD - SLP_07 – Drawing no. AD-SLP, received 23 July 2025
- Preliminary Design Layout GBR_Hurst_LP2-PDL-BESS_05 – Drawing no. LP2-PDL, received 10 October 2025
- Planning Statement, received 11 July 2025
- Design and Access Statement, received 11 July 2025
- Economic Impact Assessment, received 11 July 2025
- Heritage Impact Assessment – Report ref. PR0219, received 11 July 2025
- Landscape and Visual Appraisal – Report ref. 0001 V1, received 11 July 2025
- Settings Impact Assessment – Report ref. PR0219, received 11 July 2025
- Coal Mining Risk Assessment – Report ref. 350829 R01 (01), received 11 July 2025
- Agricultural Land Classification (Issue 3), received 11 July 2025
- Noise Assessment – Report ref. 243787-BWB-ZZ-XX-T-YA-0003_NIA Rev. P03, received 11 July 2025
- General Arrangement of Site Access - Drawing no. HFD-BWB-GEN-XX-DR-TR-101 S2 Rev. P7, received 10 October 2025
- General Arrangement of Access from Site to Road – Overview – Drawing no. HFD-BWB-HML-00-DR-TR-100 S2 Rev. P8, received 10 October 2025
- Landscape Strategy Plan – Drawing no. NT16771-020 Rev. P07, received 10 October 2015
- Archaeological Evaluation Report – Report ref. 25020 Version V1.3, received 10 October 2025
- Ecological Impact Assessment – Report ref. 16625_R04c_ECG Rev. C, received 10 October 2025
- Ecological Impact Assessment Tree Retention and Removal Plan – Drawing no. 16625-P05d, received 11 July 2025
- Ecological Impact Assessment Bat Static Location Plan – Drawing no. 16625/P07, received 11 July 2025
- Highways Technical Note – Report ref. HFD-BWB-GEN-XX-RP-TR-0001 Rev. P04, received 10 October 2025
- Geophysical Survey Report – Report ref. 2025-47, received 31 July 2025
- Indicative Drainage Strategy Sheet 1 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0001 S2 Rev. P07, received 30 July 2025
- Indicative Drainage Strategy Sheet 2 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0002 S2 Rev. P04, received 11 July 2025
- Indicative Drainage Strategy Sheet 3 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0003 S2 Rev. P05, received 30 July 2025
- Swept Path Analysis – Abnormal Indivisible Load – Drawing no. HFD-BWB-HGN-XX-DR-TR-131 S2 Rev. P1, received 30 July 2025
- Swept Path Analysis – Abnormal Indivisible Load – Drawing no. HFD-BWB-HGN-00-DR-TR-113 S2 Rev. P1, received 11 July 2025

- Swept Path Analysis – Large Tipper – Drawing no. HFD-BWB-HGN-00-DR-TR-114 S2 Rev. P1, received 11 July 2025
- MV Skid Elevations UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 30 July 2025
- Archaeological Desk-Based Assessment – Report ref. PR0219 (5th Issue), received 30 July 2025
- Biodiversity Gain Plan – Report ref. 16625_R05_NB, received 30 July 2025
- Climate Change Statement, received 27 July 2025
- Biodiversity Metric, received 16 July 2025
- Flood Risk Assessment – Report ref. 243787-BWB-ZZ-XX-T-W-0002_FRA S2 Rev. P01, received 16 July 2025
- Sustainable Drainage Statement – Report ref. 243787-BWB-ZZ-XX-T-W-0001_SDS Rev. P03
- Indicative SuDS Sections – Drawing no. 243787-BWB-ZZ-XX-D-W-0004 S2 Rev. P01, received 11 July 2025
- Topographical Surveys, received 11 July 2025
- Tree Constraints Plan – Drawing no. 16625/P04c, received 11 July 2025
- Existing and Proposed Ground Levels – Main Access GBR_Hurst-Existing and Proposed Ground Levels - Main Access Track_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Levels GBR_Hurst-Proposed Ground Levels_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Energy Storage System Area GBR_Hurst_Proposed Ground Profiles – Energy Storage System Area_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Substation GBR_Hurst_Proposed Ground Profiles – Substation_00 – Drawing no. 01, received 11 July 2025
- Emergency Access – Drawing no. HFD-BWB-GEN-XX-DR-TR-112 S2 Rev. P3, received 11 July 2025
- Auxiliary Transformer GBR_EPD_Auxiliary Transformer_02 – Drawing no. GBR_EPD_AUX, received 11 July 2025
- BESS CCTV GBR_EPD_BESS CCTV_00 – Drawing no. GBR_EPD_BCC, received 11 July 2025
- BESS Lighting GBR_EPD_BESS Lightning_00 – Drawing no. GBR_EPD_BLG, received 11 July 2025
- BESS Security Fence GBR_EPD_BESS Security Fence_02 – Drawing no. GBR_EPD_BSF, received 11 July 2025
- BESS Security Gate GBR_EPD_BESS Gate_02 – Drawing no. GBR_EPD_BSG, received 11 July 2025
- DNO Generator GBR_Hurst_EPD_DNO Generator_00 – Drawing no. GBR_EPD_DNO GEN, received 11 July 2025
- DNO GRP GBR_Hurst_EPD_DNO GRP_00 – Drawing no. GBR_EPD_DNO GRP, received 11 July 2025

- EV Charger GBR_Hurst_EPD_EV Charger_00 – Drawing no. GBR_EPD_EVC, received 11 July 2025
- Entrance Wall and Gate GBR_EPD_Entrance Wall and Gate_00 – Drawing no. GBR_EPD_EWG, received 11 July 2025
- Backup Generator GBR_EPD_Backup Generator 20_00 – Drawing no. GBR_EPD_G20, received 11 July 2025
- GRP GBR_EPD_GRP_00 – Drawing no. GBR_EPD_GRP, received 11 July 2025
- Monitoring House / Communication Building GBR_EPD_Monitoring House/Communication Building_01 – Drawing no. GBR_EPD_MH/CB, received 11 July 2025
- Indicative Road Section GBR_EPD_Indicative Road Cross Section_01 – Drawing no. GBR_EPD_RCS, received 11 July 2025
- Spares Container GBR_EPD_Spares 40' Container_01 – Drawing no. GBR_EPD_S40, received 11 July 2025
- Storage GBR_EPD_Storage_00 – Drawing no. GBR_EPD_STG, received 11 July 2025
- Substation GBR_Hurst_EPD-Substation_00 – Drawing no. GBR_EPD_SUB, received 11 July 2025
- Toilet GBR_EPD_Toilet_01 – Drawing no. GBR_EPD_TLT, received 11 July 2025
- BESS Enclosures UK_EPD_BESS Enclosures_00 – Drawing no. UK_EPD_BSS, received 11 July 2025
- MV Skid UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 11 July 2025
- Outline Battery Safety Management Plan – Report ref. ARC-1198-003-R1 Issue 2, received
- Arboricultural Impact Assessment – Report ref. 16625_R03d, received 11 July 2025
- Tree Survey Schedule – Report ref. 16625_TSS, received 11 July 2025
- Archaeological Written Scheme of Investigation – Report ref. PR0219 (4th Issue), received 11 July 2025

AMENDMENTS

Various amendments received in response to consultee comments, including revisions to landscaping, arrangement of trees on access road and passing points on access road.

EIA SCREENING OPINION

The proposals that are the subject of this application are not Schedule 1 development but they are considered to constitute an industrial installation for the production of electricity as described in criteria 3(a) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

As the area of the development exceeds the threshold of 0.5 hectares as set out in column 2 of Schedule 2 it requires screening under the EIA regulations.

In a screening decision dated 9th January 2025 the Local Planning Authority concluded that, having regard to the characteristics, location and types and characteristics of the potential impacts as set out in Schedule 3, the proposed development did not constitute Environmental Impact Assessment development.

HISTORY

03/00119/HEDGE	Hedge Replacement Notice	Remove existing thorn hedge to field OS3626 (70m length) and plant replacement to west of public footpath (190m length)
99/00121/FUL	Granted Conditionally	Single storey extension to rear
99/00208/FUL	Granted Conditionally	Erection of replacement barn
07/00017/FUL	Refused	Change of use to motorcross track for racing on 14 days per year, including pits area and formation of jumps, holes and corners and creation of two ponds.
24/00575/SCREEN	EANRQD	Request for EIA Screening Opinion - Energy Storage System (ESS), project substation and associated infrastructure.

CONSULTATIONS

Bolsover District Council (Planning Policy) –

The Government has set challenging targets to reach net zero and has stated, in EN-1, that “Storage has a key role to play in achieving net zero and providing flexibility to the energy system...”. This is reflected in NPPF paragraph 168 which identifies that significant weight should be afforded to the need for the battery storage.

The proposed development is sited within the countryside as defined by the Local Plan for Bolsover District. Under Strategic Policy SS9 there is the possibility of category b of the Policy being applicable, but I am not aware of any evidence being presented to support that the proposed development is necessary for the efficient or viable operation of an existing farm unit. Therefore, it is not considered that the proposed development meets any of the categories set out within the Policy.

Policy support is provided for mitigating and adapting to climate change and the transition to net zero by 2050 through Policy SS1 I and Policy SC6. Policy SC6 is considered to be a key policy in relation to the application. It identifies that development proposals for generation of renewable energy, which includes battery storage, will be granted unless individually or cumulatively there would be harm or have adverse impacts to the criteria set out in the Policy. The criteria includes the visual appearance and character of the area and harm to the historic environment.

If the proposal can meet the criteria of Policy SC6: Renewable and Low Carbon Energy and other relevant policies of the Local Plan for Bolsover District, then the proposal would be deemed to be in accordance with the Development Plan and should be approved.

Bolsover District Council (Heritage Conservation) –

Assessment Following a review of the documents submitted and subsequent site visit the impact of the development from the following viewpoints was assessed: -

- Old Hall viewing platform – there are wide sweeping vistas across the landscape towards the site. The upper part of the site was clearly visible.
- Hardwick Hall roof – the intervening vegetation obscured views from the roof viewing platform (it is not clear what extent the views would be more prominent in summer)
- Terrace Range (café courtyard) adjacent to the Stable Yard and outbuildings GII* also within the Registered Park and Gardens – there are partial views of the site from the terrace, but this view would be more prominent in winter. This area is an important part of the visitor experience, and the sweeping views play an important part of the experience.
- Views from the site back towards Hardwick Old Hall, New Hall and Registered Park and Garden – there are clear views across the intervening landscape to the Old Hall, New Hall and Registered Park and Garden
- The proposed development would be visible in long views of the upper elevation of Hardwick Old Hall from footpath 35.

The analysis concluded that the proposed site is set within the context of open countryside and rolling agricultural land and the change of use from open field to a battery energy storage facility with associated utilitarian structures would inevitably change the character of the site and be seen as an urbanising feature in the landscape.

As evidenced above, Hardwick's prominence in the landscape is a highly important element of its overall significance as a symbol of courtly power and wealth. The location of Hardwick consciously exploits the local topography; the two Halls are located on the edge of an elevated scarp, and both Hall are very prominent elements in views from a swathe of the surrounding countryside. Historic evidence supports the case that the ridgetop siting for the Halls was intentional, and the aspect and strong visual prominence of the location was considered to be a distinct advantage. This in turn suggests that the ridgetop setting plays an integral role in the historic significance and that any changes to the surroundings will impinge on that significance.

There is clear evidence to suggest that there will be some intervisibility between the designated heritage assets and the proposal site and given the industrial nature of the development and the urbanising impact of this on the landscape setting, it is considered that the development would impinge on the setting of Hardwick Old Hall, Hardwick Hall and the Registered Park and Garden and would cause harm to the significance of these assets. The

level of harm is considered to be less than substantial and towards the lower end of the scale.

NPPF paragraph 215 specifies that where a development would result in less than substantial harm to the significance of a designated heritage asset, then this harm should be weighed against the public benefits of the proposal.

I concur with the comments provided by the Urban Design Officer and would support the recommendations put forward including: -

- Removal of upper 3 units from the scheme (highest and most prominent part of the site)
- Additional planting
- Colour of units to be green as opposed to white.
- Additional assessment of lighting strategy and luminance
- Potential for grass planting between battery storage units
- Perimeter fencing to be green.

Bolsover District Council (Urban Design) –

As the only way to mitigate the industrial character of the development is to ensure more trees, I am happy that the applicant has added in more mature species that will increase the height of the screening. This could also be conditioned as suggested by the applicant to ensure that all landscaping features are shown on detailed specifications and drawings, rather than left to annotation on the planning layout drawing. As the trees are planted around the lower part of the site and at an upper growth rate of 80cm per year, it could take 25 years for tree growth to meet 20m high. It would not be effective for quite some time.

It is therefore more important, given that the applicant states that the three upper units are essential to the feasibility of the scheme, that the upper three units are coloured a pale green, as they will clearly be seen. Given their industrial character, I would like a condition to ensure that a muted green colour is approved, as suggested by the applicant. I would, however, suggest that this is not a matter of procurement as they have been used elsewhere. I welcome that the applicant suggests including other equipment and agree that the compound fence at 2.5m high can be conditioned to ensure details and colour are acceptable.

My previous reference to the National Grid's Horlock Rules guidance was due to these rules being referred to previously in earlier discussions. Whilst the site itself is not within a nationally designated site, it is within open countryside, it is within the visibility threshold of threshold of Hardwick Hall registered park and garden, and earlier settings studies indicated this area to be part of the special landscape that influenced this wider setting.

I concede that the lighting strategy is appropriate but suggest a condition that will restrict any permanent use during evening hours. It is stated that these would be motion sensory lights but any change to permanent in the future would result in an unwelcome visual impact.

No sections have been delivered as requested. These would help understand the level changes and needs for reinforcement/retaining walls if required. I am not clear whether the engineering constraints will require reinforced earth platforms or whether retaining will be needed for the platforms or indeed they will be required simplifying into three platforms as shown in earlier iterations of the layout. This could be dealt with by a suitable condition. Whilst I would not like to see the whole site to be hard surfaces, I also would like to see the detail of how this can be achieved.

Regarding the access road, I welcome the more informal hedgerow tree planting. I have no objection to the addition of passing places. A condition regarding the materials of the access track is suitable. I also agree that allowing for the existing PRow to run parallel with the access track, minimising (as part of possible) any users of the PRow needs to interact with the access track, is a sensible solution.

Recommendation: Subject to the conditions regarding design requirements I have no objection to the scheme. I do, however, still have reservations regarding its potential visibility.

Bolsover District Council (Climate Change) –
No comments received.

Bolsover District Council (Streetscene and Waste) –
No comments received.

Bolsover District Council (Environmental Health) –
I have no objections in principle, however I'd appreciate further information in regards noise. The application does have a potentially significant impact upon the property identified as NSR 1 in the assessment, however this is discounted partially on the basis that the occupiers are connected with the development. Confirmation of this is sought, and also whether any mitigation scheme, which could reduce these impacts, has been considered.

I will recommend a condition requiring the applicant to demonstrate that the levels quoted in the assessment are not exceeded in my finalised response. The applicant is encouraged to discuss this with their acoustician so that suitable wording can be agreed. *This has now been agreed.*

I will also recommend our standard contaminated land condition owing to potential contamination on site from areas that have been previously quarried, and also potential risks highlighted by the Coal Authority.

Derbyshire County Council (Archaeology) –
The site has no known archaeology besides a disused sandstone quarry (Derbyshire HER MDR13827) just to the west, and a detector find of a Late Iron Age or Roman bronze mount (Portable Antiquities Scheme) reported again just to the west of the proposal boundary. The applicant's archaeological consultants carried out a geophysical survey of the site at an early stage and identified field systems and enclosures of a type usually associated with later prehistoric or Roman activity. In consultation with myself the applicants then commissioned an archaeological evaluation of the site with trial trenching, and the results of this form part of the current application.

In summary, the site contains archaeological features over much of its area, though there is some disturbance in the northern part where the site had been used for moto cross or similar. The features were typical of field system or enclosure ditches, with no finds encountered in the evaluation. The geophysics suggests that there may be more than one phase of use, with foci that might represent settlement or more intensive activity, within a wider landscape of fields. Radiocarbon dating was carried out on material from some of the features, and this supported the interpretation of a multi-phase site, with Iron Age, Roman and Saxon dates

returned.

The site is likely therefore to contain archaeological remains of regional importance. These are not sufficiently important to constitute an objection to development, but would certainly be a material consideration and should the proposals gain consent would require either excavation and recording within the development footprint, or 'preservation by design' where development groundworks are modified to avoid impacts (or perhaps a combination of both approaches). This would be in line with NPPF para 218, and a planning condition should therefore be attached to secure the archaeological work.

Derbyshire County Council (Lead Local Flood Authority) –
The LLFA has no objection subject to recommended conditions.

Derbyshire County Council (Local Highway Authority) –
The application includes the submission of Transport Assessment which mainly discusses the highway impact during the construction phase; the operational phase of the facility is predicted to generate minimal vehicle movements, which is considered to be usual for such facilities.

Site Access - It is noted that the proposed 'primary access' to Mansfield Road will require the provision of visibility splays of 2.4m x 160m based on the posted speed limit of 50 mph (it is recognised that the speed limit does change from 40 mph to 50 mph in the vicinity of the proposed access). The requirement for stopping sight distances commensurate with a vehicle approach speed of 50 mph is considered to be appropriate. The provision and maintenance of the visibility splays will have a significant impact on the hedge boundary which will need to be removed/lowered/set back.

The proposed access dimensions, informed by swept path analysis, are considered appropriate to accommodate the predicted and likely vehicle movements during the construction phase of the facility.

The 'secondary access' which currently serves Hurst Farm is proposed for emergency use only. It is not clear how this is to be controlled as there appears to be no means to control of the use of this access by any of the construction worker vehicles. There doesn't appear to be any assessment carried out of the achievable visibility splays at this access. As this stage, the use of this access for emergency vehicles only would be accepted on faith. It is requested that the applicant/agent addresses this concern prior to consent being granted.

Internal Layout - The proposed internal access is to be constructed to a width of 4m, according to the TA. The submitted plans indicate passing places at intervals along the access route. However, it is not clear if the passing places can be clearly seen by oncoming vehicles or how many vehicles the passing places can accommodate. Further analysis/details are required on this issue to fully understand the potential for conflict between opposing vehicles using the access track.

Trip Generation - The predicted trip generation during the construction phase is based on figures presented by the applicant/agent. The LHA has no real way to assess the predicted trips generated by the proposed facility; however, it is considered that the figures presented do appear to be a reasonable and realistic prediction. It is considered that the predicted trip

rates would not have an unacceptable impact on the highway network during the construction phase. It is noted that it is predicted that abnormal loads will be required during the construction phase and that analysis has been carried out on suitable routes for these abnormal loads.

The proposed routing for the abnormal loads identified as 'route 2' in the TA is considered to be the most appropriate route.

PROW - It is noted that the applicant has had feedback from DCC's PROW team regarding the impact of the internal access road on the existing public footpaths which run through the site. I refer you to the comments made by PROW officers in relation to the required maintenance of a 2m width to maintain existing alignments of the public footpaths.

Can the applicant please provide the additional information/analysis of the proposed access width and passing places prior to determination of the application to ensure that the LHA can fully assess the suitability of the proposed access track.

Further to previous comments and following the receipt of additional information and revised plans, it is now considered that there are no LHA objections to the application.

Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained. Conditions relating to access, parking and turning to be provided, visibility splays and construction management plan requested.

Derbyshire County Council (Policy) –
No comments received.

Derbyshire County Council (Public Rights of Way) –
Comments contained within highways response.

Ashfield District Council –
Subject to Bolsover District Council giving full consideration to all consultee responses and relevant material planning considerations, Ashfield District Council has no objections to the development hereby proposed.

Historic England –
Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

National Trust –
No comments received.

HS2 Ltd –

No comments received (however, HS2 Safeguarding Zones have now been removed within the District).

Severn Trent Water –

The above site is out of Severn Trent Water's waste water area, and therefore we have no comment to make.

National Grid –

No comments received.

Tibshelf Parish Council –

Concerns have been raised regarding the route for the construction traffic. The application states that they are going to go through Huthwaite with HGVs - there is no access for HGVs that way - the only other route is via Chesterfield Road that will mean up to 20- 30 HGVs passing through for months, every day of the week except Sunday.

Coal Authority –

Part of the site falls within the defined Development High Risk Area.

The Planning Team at the Coal Authority concurs with the conclusions of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development. No objection subject to recommended conditions.

Derbyshire Wildlife Trust –

Since our previous letter dated 1st October 2025, an updated EcIA (Rev. C, 25 th September 2025) has been submitted including the final results of outstanding survey work. This includes the results of the breeding bird and bat activity surveys.

We do not wish to make any changes to our previous comments and the recommended conditions remain applicable. However, we do have some concerns regarding the tree planting long the access track and whether this may reduce the success of ground nesting species in the offsite fields to the west.

Breeding bird surveys have demonstrated that the area is used by a farmland bird assemblage, including skylarks. The introduction of numerous trees along the access track is likely to create predator perches, which may reduce the suitability of the offsite fields to breeding skylark. The proposals will already result in the loss of the onsite land to ground nesting birds and we do not want to adversely impact the offsite field as well. We seek confirmation of whether the tree planting along the access is absolutely necessary or whether this could be omitted or significantly reduced?

Derbyshire Fire and Rescue –

We have no objections relating to the proposal. Whilst Derbyshire Fire and Rescue Service (DFRS) is not a statutory consultee in relation to this proposed project, we welcome opportunities to work and engage with developers to ensure projects are delivered safely and

that operators meet the statutory responsibilities that we enforce.

As BESS sites fall outside the scope of the Building Regulations, thus removing the Service's opportunity to comment under Approved Document B, we would recommend that the developer and operator apply relevant sector specific guidance to ensure safe practice is employed in the construction, operation and decommissioning of the site.

Once the site is occupied, the site as a whole; including the battery storage containers and ancillary buildings will fall into the scope of the Regulatory Reform (Fire Safety) Order 2005. This places certain fire safety duties on the person responsible for the site which includes carrying out and regularly reviewing the fire safety management plan and the fire risk assessment to protect relevant persons by identifying fire risks and removing or reducing them to as low as is reasonably practicable.

To assist developers, responsible persons and Fire and Rescue Services with the requirements of BESS sites, the NFCC have produced a guidance document which can be found at <https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf>. This guidance gives advice on how to reduce the risk of fire and fire spread and the requirements for firefighting purposes. *Summary of guidance provided in comments.*

Once the site is near to completion, DFRS must be notified, and arrangements made with us, so that fire crews may visit the site to familiarise themselves with the location, site access, site layout, available water supplies and access information.

Yorkshire Water –

Surface water is proposed to be drained to watercourse - Yorkshire Water fully endorse this means of surface water disposal. Condition recommended to agree and complete satisfactory outfall to protect the local aquatic environment and Yorkshire Water infrastructure.

All consultation responses are available to view in full on the Council's website.

PUBLICITY

The application has been publicised by way of press notice, site notice and letters to seven adjacent properties. One representation has been received from the landowner in support of application summarised below:

- The proposed development will provide us with an additional income stream, supporting the diversification of activities at Hurst Farm. This would help the farm become more resilient to volatile energy prices and future market conditions, supporting its viability and therefore the continued agricultural use of land at Hurst Farm.
- The applicant has carefully designed the proposed development in consultation with us so that it's compatible with the ongoing agricultural use of Hurst Farm. This includes aligning the main access track with field boundaries, where possible, to reduce severance of retained agricultural land and including a crossing of the main access track, with a break to proposed landscaping and drainage swales, for my combine

harvester to allow for the continued agricultural use of the southeasternmost field of Hurst Farm. Moreover, the energy storage has been sited in the northernmost field of Hurst Farm, which has historically been the hardest to farm and is relatively detached from the rest of the farming unit.

- I have read the representation from John Mills (Environmental Health Officer) dated 6 August 2025 and confirm that I have reviewed the Noise Assessment (June 2025) submitted with the planning application and accept its conclusions. The Noise Assessment correctly identifies that we own and occupy Hurst Farmhouse and have entered into a voluntary land agreement with the applicant in relation to the proposed development on my freeholding.
- With planting as proposed by the applicant, the energy storage will be well-screened from our home at Hurst Farm, Mansfield Road, Tibshelf Alfreton, DE55 5NG; and
- Our amenity will not be adversely impacted during either the construction or operation of the proposed development.

All representations are available to view in full on the Council's website.

POLICY

Local Plan for Bolsover District ("the adopted Local Plan")

Planning law requires that applications for planning permission be determined in accordance with policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant Local Plan policies include:

- Policy SS1: Sustainable Development
- Policy SS9: Development in the Countryside
- Policy WC2: General Principles for Economic Development
- Policy WC3: Supporting the Rural Economy
- Policy SC2: Sustainable Design and Construction
- Policy SC3: High Quality Development
- Policy SC5: Change of Use and Conversion in the Countryside
- Policy SC6: Renewable and Low Carbon Energy
- Policy SC7: Flood Risk
- Policy SC8: Landscape Character
- Policy SC9: Biodiversity and Geodiversity
- Policy SC10: Trees, Woodland and Hedgerows
- Policy SC11: Environmental Quality (Amenity)
- Policy SC14: Contaminated and Unstable Land
- Policy SC17: Development affecting Listed Buildings and their Settings
- Policy SC18: Scheduled Monuments and Archaeology
- Policy SC20: Registered Parks and Gardens
- Policy ITCR1: Strategic Green Infrastructure Network
- Policy ITCR3: Protection of Footpaths and Bridleways
- Policy ITCR10: Supporting Sustainable Transport Patterns

Tibshelf Neighbourhood Plan ("the Neighbourhood Plan")

The Tibshelf Neighbourhood Plan has been prepared by Tibshelf Parish Council, examined by an independent Examiner and passed at a local referendum with 84.5% voting in favour of the Plan. It includes a number of policies on housing, employment, the environment and community facilities. Bolsover District Council formally 'made' the Plan on 15th May 2023 and from this point on forms part of the Development Plan for Bolsover District. In this case, the most relevant Neighbourhood Plan policies include:

- ENV3: Dark Skies
- ENV4: Biodiversity and Nature Conservation
- BE2: Building Design Principles for Development Outside Tibshelf Conservation Area
- T1: Transport, Highway, Safety and Parking

National Planning Policy Framework ("the Framework")

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

- Paragraphs 7 - 13: Achieving sustainable development.
- Paragraph 39: Decision-making
- Paragraph 48: Determining applications.
- Paragraphs 56 - 58: Planning conditions and obligations.
- Paragraphs 85 - 87: Building a strong, competitive economy.
- Paragraphs 102, 105: Promoting healthy and safe communities.
- Paragraphs 115, 116: Promoting sustainable transport.
- Paragraphs 135, 137, 140: Achieving well-designed places.
- Paragraph 161, 163, 168: Meeting the challenge of climate change.
- Paragraph 170, 181, 182: Planning and Flood Risk.
- Paragraphs 187, 193: Conserving and enhancing the natural environment.
- Paragraphs 196 - 201: Ground conditions and pollution.
- Paragraphs 202, 207, 208, 210, 212, 213, 215, 219: Conserving and enhancing the historic environment.

National Policy Statements (NPS)

The National Planning Policy Framework provides that National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications. Relevant NPS' include:

- EN-1: Overarching National Policy Statement for Energy
- EN-3: National Policy Statement for Renewable Energy Infrastructure
- EN-5: National Policy Statement for Electricity Networks Infrastructure.

Supplementary Planning Documents

Biodiversity Net Gain Design Note:

In light of the requirement for mandatory 10% biodiversity net gain, the Council has prepared a planning advice note to provide advice on the background to the introduction of mandatory 10% Biodiversity Net Gain, how this statutory provision relates to policy SC9: Biodiversity and Geodiversity in the Local Plan for Bolsover District, and how we will expect those preparing applications to approach this new legal requirement.

Other Material Considerations

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 requires local planning authorities to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant planning permission.

The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 2017

Provides guidance on how to assess and manage the impact of development on a heritage asset's surroundings

Historic England 2021 *Commercial renewable energy development and the historic environment Historic England Advice Note 15*. Swindon. Historic England.

Describes the potential impacts on the historic environment of commercial renewable energy proposals

The Environment Act (2021)

Sets the framework for environmental governance that influences how such infrastructure is regulated.

Ten Point Plan for a Green Industrial Revolution (2020)

Sets out the approach government will take to build back better, support green jobs, and accelerate the path to net zero.

The National Infrastructure Strategy (2020)

Lays the groundwork for transitioning to a low-carbon, resilient energy system, where the proposed infrastructure plays an important role.

Energy White Paper 'Powering our Net Zero Future' (December 2020)

Sets out how "the UK will clean up its energy system and reach net zero emissions by 2050" and recognises the requirement to invest in energy infrastructure for resilience and reliability. It supports the technologies required for increasing renewable energy generation.

British Energy Security Strategy (2022)

Recognises the need to put in place a long-term solution to address the UK's underlying vulnerability to international oil and gas prices by reducing dependence upon imported oil and gas.

Department for Energy Security and Net Zero – Powering Up Britain (March 2023)

Sets out the UK's vision to power the UK with a need to both manage the short term risks and act for the long term. This includes becoming more energy independent and energy secure as a nation.

National Grid Electricity System Operator's (NESO) 'Beyond 2030 – A national blueprint for a decarbonised electricity system in Great Britain' report (March 2024)

Sets out that the electricity network has only required small upgrades and is now reaching capacity. Britain's electricity needs are expected to substantially rise and grid-scale storage is becoming increasingly important in managing peaks and troughs in the network, particularly in supporting decarbonisation of the system.

Future Energy Scenarios (FES) ESO Pathways to Net Zero Report (July 2024)

Energy storage is identified as becoming increasingly important as the country moves towards a net zero system and there is a greater need for flexibility in how energy is stored and transferred back to the grid to support the increased roll-out of renewable sources of energy and balance the grid.

Clean Power 2030 Action Plan: A new era of clean electricity (December 2024)

Sets out how the government will work with the clean power sector to achieve its clean power goal by 2030. It recognises that successful delivery will require rapid deployment of new clean energy capacity across the whole of the UK, utilising once-in-a-generation levels of energy investment – an estimated £40 billion on average per year between 2025-2030. Ambitions to develop 43-50 GW of offshore wind, 27-29 GW of onshore wind, and 45-47 GW of solar power will need to be complemented by flexible capacity, including 23-27 GW of battery capacity.

Planning Practice Guidance

National Planning Practice Guidance offers guidance on identifying planning considerations around renewable and low carbon energy.

ASSESSMENT

Key issues

It is considered that the key issues in the determination of this application are:

- the principle of the development
- the landscape and visual impact of the proposed development
- the impact on heritage assets
- the impact on biodiversity
- whether the development would be provided with a safe and suitable access and the impact of the development on the local road network; and
- the impact on residential amenity.
- contamination and ground stability.

These issues are addressed in turn in the following sections of this report

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this context, the development plan is the Local Plan for Bolsover District (2020) and the Tibshelf Neighbourhood Plan (2023).

The site is located outside of a development envelope as defined on the Local Plan Policies map and is therefore considered open countryside in policy terms. The Local Plan's strategic policy concerning development in the countryside is policy SS9, which states:

“Development proposals in the countryside outside development envelopes will only be granted planning permission where it can be demonstrated that they fall within one or more of the following categories:

- a) Involve a change of use or the re-use of previously developed land, provided the proposed use is sustainable and appropriate to the location*
- b) Are necessary for the efficient or viable operation of agriculture, horticulture, forestry or other appropriate land based businesses, including the diversification of activities on an existing farm unit*
- c) Are small scale employment uses related to local farming, forestry, recreation or tourism*
- d) Secure the retention and / or enhancement of a community facility*
- e) Secure the retention and / or enhancement of a vacant or redundant building that makes a positive contribution to the character or appearance of the area and can be converted without complete or substantial reconstruction*
- f) Are in accordance with a made Neighbourhood Development Plan*
- g) The building is of exceptional quality or innovative design*

In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials.”

The proposed development does not fall within any of the criteria of policy SS9. However, in this case, other Local Plan policies and material considerations are relevant that need to be afforded weight in the decision-making process.

Policy SC5 relates to changes of use and conversions in the countryside. This policy sets out that:

“Where planning permission is required, proposals for the conversion of an existing building or structure, or the change of use of land, to a new use, will be permitted provided they comply with all of the following criteria:

- a) The building is worthy of retention, structurally sound and capable of conversion without substantial reconstruction*
- b) The conversion or change of use, is in keeping with the original character of the building or land and enhances the fabric and character of any adjacent buildings, or the landscape character type generally*
- c) The number of units and/or density of development is appropriate to the*

building's location

d) The building would have an existing curtilage or a curtilage can be created which does not adversely affect the landscape character type, the building itself or any adjacent structure

e) Utilities can be provided and the building has adequate access to a metalled road without creating traffic hazards and without involving road improvements incompatible with the character of the area

f) The development proposed does not add to flood risk concerns."

Given the development results in the introduction of industrial apparatus and long access road to the main part of the site within the open countryside, it is not considered to accord with the requirements of policy SC5.

Policy SC6 relates specifically to renewable and low carbon energy developments. While the proposed development doesn't specifically generate electricity, it is considered to support use of renewable energy by improving the efficiency of energy produced from renewable sources. Many sources of renewable energy are dependent on particular conditions, such as sun or wind. Without methods of storing the energy produced during the times where conditions allow, the energy produced would be wasted if there isn't the demand to use all of the energy at that time. Having battery energy storage systems provides a way of capturing energy when it is produced and saving that energy for times when it is needed. This makes renewable energy production more effective and therefore helps support its growth in accordance with the national ambitions and aims set out above that respond to the climate crisis. It is therefore considered that policy SC6 is applicable to this proposal.

The parts of policy SC6 relevant to this proposal set out that:

"Development proposals for the generation of renewable energy (except large wind turbines) will be granted unless either individually or cumulatively with other renewable energy development, there would be

- a) Significant harm to the visual appearance and character of the area*
- b) Significant harm to the amenity of local residents, either individually or cumulatively with other renewable energy development particularly from noise, dust, odour, traffic or visual intrusion*
- c) Significant harm to the ecology of the area, in particular in relation to protected species and to any sites of biodiversity value, ancient woodland, and veteran trees*
- d) Harm to the historic environment, including the effect on the significance of heritage assets and their setting and significant harm to important views associated with valued landscapes and townscapes*
- e) Significant adverse impacts on airport radar and telecommunications systems*

Where significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission will be refused.

In determining planning applications for renewable energy generation, significant weight will be given to the achievement of wider environmental and economic benefits.

Proposals should include details of associated developments including access roads and ancillary buildings; and transmission lines which should be located below ground wherever possible in order to reduce the impact on the open countryside. Planning applications will also need to include a satisfactory restoration scheme which will be implemented following decommissioning.”

With regard to criteria ‘a)’, ‘b)’, ‘c)’ and ‘e)’, it is noted that the threshold for harm or adverse impact is ‘significant’. It is accepted that there will be harm to the visual appearance and character of the area and potential harm to the amenity of the occupants of Hurst Farm as a result of the development, however, subject to the proposed mitigation, this harm is not considered to amount to ‘significant’. There is no evidence of any harm in respect of criterion ‘e)’. It is noted that the threshold for criterion ‘d)’ is lower at only ‘harm’, although this could be considered somewhat diluted by the proceeding paragraph that further qualifies reasons for refusal which would need to be considered in addition to the criteria above that provide reasons for support rather than reasons to refuse.

This policy is clearly capable of impacting on the principle of the development subject to accordance with the criteria and consideration of the mitigation proposed, and detailed assessments of the respective impacts are set out in the relevant sections of the report below.

The landscape and visual impact of the proposed development

While adjacent to the M1 motorway, the site is within a countryside setting comprising agricultural land and close to two public rights of way, with one of those crossing the proposed access road.

The location of the site within the larger agricultural holding has been chosen for its proximity to overhead electricity lines and the design of the proposal takes account of existing screening with hedges and scrub around that particular parcel of land and locating the substation on the eastern boundary where the land falls away to a lower level.

Requests have been made to the applicant about the ability to have the equipment finished in a recessive green colour to help assimilate it into its setting or at least reduce its prominence in the landscape and distant views. It was confirmed that in terms of the substation, the customer switch and control room can be green or brown brick built, but the colour of the transformer could not be confirmed at this stage, although they are typically grey. Parts of the substation to be adopted by the Distribution Network Operator must be designed in accordance with relevant standards, in agreement with NGED. The applicant therefore cannot confirm the colour at this stage, although again confirmed they are typically grey. The applicant confirmed that the BESS enclosure, MV Skid, monitoring house, storage, GRP, spares containers, backup generator and BESS security fence can all be coloured green. A condition can be imposed to agree the final colour of equipment should planning permission be granted.

The applicant was also asked whether the area between the equipment within the compound could be grassed to further reduce or break up the appearance of built form in distant views. However, the National Fire Chiefs Council (NFCC) guidance for Fire and Rescue Services (FRS) on Grid Scale Battery Energy Storage Systems (BESS) sets out that sites should be laid out to prevent a fire spreading to the Energy Storage Units by providing a bridge or path

between the units to transmit flaming or radiant heat. Grass would increase the risk of a bridge between Energy Storage Unit fires. The guidance states that “*Areas within 10 metres of BESS units should be kept clear of combustible vegetation and all other vegetation within the curtilage of the site should be kept in a condition such that it does not increase the risk of a fire on the site*”. Having vegetated areas between the units is therefore not appropriate. The applicant has suggested a suitably coloured permeable gravel surface (shown on the Landscape Strategy Plan), the final details of which can be submitted to the Council for approval under a condition prior to the commencement of development.

The Council’s Senior Urban Design Officer (UDO) has been consulted and considers that the visual impacts of the development will be greater than suggested in the submitted Landscape and Visual Impact Assessment. In response to concerns raised, the applicant has submitted revised landscape proposals that include the planting of more mature trees to provide better screening, which the UDO welcomes, while acknowledging that it would take a significant amount of time before trees reach a height that will provide effective screening. Informal planting of trees along the access track is also welcomed, but a condition regarding materials of the access track is recommended as above. Questions about lighting around the site have been clarified by the applicant. The lighting will only be operational for the limited times operatives are on the site. This can be controlled by condition.

The UDO also enquired as to whether the southern 3 clusters of BESS enclosures and associated MV Skids could be omitted from the scheme as they will be the most prominent in distant views from Hardwick Hall. The omission of these units would significantly reduce the storage capacity of the site and therefore dilute the benefits. It would also require renegotiations with the Distribution Network Operator which could jeopardise feasibility of the scheme. Given the visual impact that will arise from the proposal generally, it is considered that there is more benefit in retaining the higher storage capacity compared to the limited reduction in visual impact by removing them and resultant overall benefits of the development. The UDO emphasises the need to carefully consider and control the colour of equipment and fencing. Subject to relevant conditions, the UDO has reservations about the schemes potential visibility but does not object to the development.

The development in the main is proposed for a temporary 40-year period, with only the substation and associated apparatus to be retained after that to be adopted by the Distribution Network Operator. It is proposed that the rest of the development will be removed and site restored to its former state. A condition can be imposed to agree details of the restoration to ensure a satisfactory situation following the development.

The impact on heritage assets

Intrinsically linked to the landscape and visual impact of the development is the impact on heritage assets. The site sits within distant views from a number of vantage points around Hardwick Hall. Through pre-application discussions and an accompanied site visit with the applicant, Bolsover District Council, National Trust and Historic England it was agreed that the development had the potential to impact on the following heritage assets: -

- Hardwick Hall Registered Park and Gardens (Grade I, NHLE 1000450)
- Hardwick Old Hall (Scheduled Monument, NHLE 1015889 and Listed Building Grade I, NHLE 1052337)

- Hardwick Hall (Listed Building Grade I, NHLE 1051617)
- Range of Outbuildings and Stables, and walls enclosing a courtyard to south of Hardwick Hall (Listed Building Grade II*, NHLE 1051634)

In heritage terms the main issue for consideration is the impact of the proposed development on the significance and setting of designated heritage assets.

As confirmed by the PPG, “What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset affected by the proposal (PPG 18a-018). As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset’s physical presence, but also from its setting.

The NPPF uses the term “harm”, when discussing the impacts of a development on the significance of a heritage asset. The assessment of the overall impacts of the proposed development on the significance of heritage assets is evaluated by taking into account both the significance of the heritage asset, and the nature and extent of the predicted impact on that significance. If a proposal would change the setting of a heritage asset in a way which is considered harmful, it is essential that clear reasoning is provided on why the change would lead to harm.

The NPPF identifies three levels of harm: substantial harm, total loss or less than substantial harm to its significance. The PPG states that substantial harm is a “high test” (PPG Paragraph 18a-018). This means that less than substantial harm can encompass impacts that range from just below substantial harm, down to just above negligible, which is a considerable range of impacts. Furthermore, in paragraph 18a-018 the PPG also clarifies that: “Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”

The NPPF (2024) defines significance (for heritage policy) as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”

The NPPF (2024) defines the setting of heritage assets as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

The Historic England publication ‘The setting of Heritage Assets’ (2017) at paragraph 20 states that, “where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset.”

The National Trust Hardwick Hall Setting Study (Atkins) 2016 provides a detailed and comprehensive assessment of the significance of the assets and the importance of the landscape setting at Hardwick. It is clear that the prominent location on the edge of a

Magnesian Limestone Ridge above the head of the Doe Lea Valley was strategic, including in terms of being seen from, and overseeing the, surrounding landscape.

The application is accompanied by a Heritage Impact Statement (HIA) and Settings Impact Assessment (SIA) which fulfils the requirements set out in paragraph 207 of the NPPF. The documents clearly describe the significance of the heritage assets and considers the impacts of the works on the significance of the assets.

It was found that there is potential for the proposed development to result in a low level of less than substantial harm to the heritage assets noted above if the new structures were to be white or another reflective colour. This is because a highly reflective material could result some distraction to important views from the registered park and garden.

However, it was also found that if the proposed new structures were to be of a hue which was consistent with the farm buildings at Hurst Farm, then any harm would be reduced to a negligible level. This is because the new buildings would be experienced as additional farm buildings rather than industrial in nature and would therefore be in keeping with the character of the rural setting of the registered park and garden and the key buildings within it. This is also due to the fact that the new substation would be placed at the lowest point within the study site and would be screened from any views.

The presence of heritage signage and wayfinding where the public right of way no. 35 crosses the main access track would ensure that the significance of the Hardwick Hall heritage assets is understood and appreciated.

The Heritage Conservation Manager agrees with the recommendation that the new structures should be of a hue that blends into the rural landscape and surrounding buildings (not being white) but disputes the conclusion that this change would remove the harm and result in the buildings being viewed as part of the farm complex resulting in a negligible impact. The HIA, at Table 2, defines negligible harm as 'a change to a heritage asset or its setting that involves no loss of significance or harm'. The site is some distance away from the existing farm buildings and the industrial nature of the associated equipment and paraphernalia means that it has a very different character to the traditional farm arrangement.

The Heritage Conservation Manager has established the following viewpoints:

- Old Hall viewing platform – there are wide sweeping vistas across the landscape towards the site. The upper part of the site was clearly visible.
- Hardwick Hall roof – the intervening vegetation obscured views from the roof viewing platform (it is not clear what extent the views would be more prominent in summer)
- Terrace Range (café courtyard) adjacent to the Stable Yard and outbuildings GII* also within the Registered Park and Gardens – there are partial views of the site from the terrace, but this view would be more prominent in winter. This area is an important part of the visitor experience, and the sweeping views play an important part of the experience.
- Views from the site back towards Hardwick Old Hall, New Hall and Registered Park and Garden – there are clear views across the intervening landscape to the Old Hall, New Hall and Registered Park and Garden
- The proposed development would be visible in long views of the upper elevation of

Hardwick Old Hall from footpath no. 35.

The analysis concluded that the proposed site is set within the context of open countryside and rolling agricultural land and the change of use from open field to a battery energy storage facility with associated utilitarian structures would inevitably change the character of the site and be seen as an urbanising feature in the landscape.

As evidenced above, Hardwick's prominence in the landscape is a highly important element of its overall significance as a symbol of courtly power and wealth. The location of Hardwick consciously exploits the local topography; the two Halls are located on the edge of an elevated scarp, and both Halls are very prominent elements in views from a swathe of the surrounding countryside. Historic evidence supports the case that the ridgetop siting for the Halls was intentional, and the aspect and strong visual prominence of the location was considered to be a distinct advantage. This in turn suggests that the ridgetop setting plays an integral role in the historic significance and that any changes to the surroundings will impinge on that significance.

There is clear evidence to suggest that there will be some intervisibility between the designated heritage assets and the proposal site and given the industrial nature of the development and the urbanising impact of this on the landscape setting, it is considered that the development would impinge on the setting of Hardwick Old Hall, Hardwick Hall and the Registered Park and Garden and would cause harm to the significance of these assets. The level of harm is considered to be less than substantial and towards the lower end of the scale.

NPPF paragraph 215 specifies that where a development would result in less than substantial harm to the significance of a designated heritage asset, then this harm should be weighed against the public benefits of the proposal.

The Heritage Conservation Manager concurs with the comments of the Senior Urban Design Officer, supporting recommendations to remove the three upper units from the scheme (southernmost units on the highest and most prominent part of the site), provide additional planting, secure the colour of units to be green, seek additional assessment of a lighting strategy and luminance, explore the potential for grass planting between the battery storage units, and for the perimeter fencing to be green. These elements have been explored and incorporated where feasible, or with the applicants being open to conditions where relevant.

To summarise the heritage situation, the proposal is considered to have a 'less than substantial' harm on heritage assets and at the low end of that scale. In accordance with national policy, this impact needs to be weighed against the public benefits of the proposal.

The impact on biodiversity

Derbyshire Wildlife Trust has been consulted on the application and comment that habitats to be lost are largely of low ecological value, except for hedgerow. They do however note that hedgerow losses have been minimised and compensated for adequately, and that the landscape proposals are likely to result in meaningful habitat enhancements on site, with an increase in habitat diversity.

Protected species impacts can be mitigated for through best practice working measures

which should be set out in a CEMP: Biodiversity. A farmland bird assemblage uses the habitats on site, including notable species such as skylark, grey partridge, yellowhammer, greenfinch and linnet. Derbyshire Wildlife Trust anticipates that the impacts will not be significant, providing mitigation is implemented. The suggested seasonal restrictions to works combined with nesting bird checks can be included as an informative note on the decision notice, but cannot be included as conditions given other legislation protects protected species and nesting birds. The suggestion that a wild bird mix could be included within the landscaping in suitable places along site boundaries, to increase foraging opportunities and provide cover for species such as grey partridge can be required.

Derbyshire Wildlife Trust advise that Great Crested Newts and water vole are likely absent. The known badger setts can be retained and protected. Significant impacts on bats are not expected. The attenuation basin, new woodland and grassland planting will be located outside the security fencing and therefore accessible to local wildlife. Appropriate native species are specified in the landscape proposals. The access track is not to be fenced off along its route and therefore the landscape will not be significantly fragmented for wildlife, apart from the hard surfacing of the track itself. A Species Enhancement Plan condition is recommended to secure appropriate enhancements.

It has been confirmed with the applicant that lighting will only be used when operatives are on site and not left on at other times. A suitable lighting strategy can be secured by condition.

Proposals will result in net gains of +4.35 habitat units (25.47%), +2.58 hedgerow units (52.51%) and +0.01 watercourse units (30.67%). Gains are delivered through the planting of hedgerow and trees along the access track and habitat creation and enhancement around the main area of the site in the north. As the application is subject to mandatory 10% net gain, Derbyshire Wildlife Trust advise that a 30-year Habitat Management and Monitoring Plan (HMMP) should be secured via condition, as per BNG guidance. Guidance advises that significant onsite gains are secured via a legal agreement and the Local Planning Authority should consider whether a HMMP condition is sufficiently robust or whether another mechanism such as a Section 106 Agreement is also required.

Derbyshire Wildlife Trust do have some concerns regarding the tree planting long the access track and whether this may reduce the success of ground nesting species in the offsite fields to the west. The introduction of numerous trees along the access track is likely to create predator perches, which may reduce the suitability of the offsite fields to breeding skylark. The proposals will already result in the loss of the onsite land to ground nesting birds and they do not want to adversely impact the offsite field as well. They seek confirmation of whether the tree planting along the access is absolutely necessary or whether this could be omitted or significantly reduced. It is considered that this can be resolved via imposition of a condition to explore improvements to this situation in collaboration with the existing acceptable landscaping and BNG details, only superseding those details where they relate to the trees along the access track.

With the imposition of conditions to secure the benefits discussed above, the proposal is considered acceptable with regard to biodiversity in accordance with policy SC9 of the Local Plan.

Whether the development would be provided with a safe and suitable access and the impact of the development on the local road network

A new access is proposed off Mansfield Road to serve the proposed development, with the existing farm access included within the site area as a secondary / emergency access. The new access track will extend approximately 400m. Immediately east of the new access at Mansfield Road, the speed limit changes from 40mph to 50mph. 2.4m x 160m visibility splays are shown to be achievable in both directions on land that is either within the applicant's control and/or the adopted highway. With regard to the secondary / emergency access, a swept path analysis has been submitted to demonstrate that there would be no issues with the movement and navigation of a fire truck when using this track in an emergency situation. A Public Right of Way (PRoW) (No. 35) crosses over the main access track before joining PRoW No. 36 that runs north/south parallel to the main access track. To encourage users to continue to use the current PRoW No. 36 rather than the proposed access track, the proposal incorporates a clear delineation between the two.

The construction of the proposed development is estimated to take 12-18 months. A temporary construction compound will be required during this phase, which will be the allocated location for construction vehicles, off-loading materials and all other construction activities. This will be located to the immediate south of the ESS area and to the west of the proposed access track, as shown hatched in orange on the submitted site layout plan.

The Transport Technical Note submitted with the application includes a trip generation assessment outlining the expected type and number of vehicles accessing the site during the construction phase of the proposed development. It assumes that approximately 40 individuals will travel to and from the site daily during this stage. Over the full 18-month construction period, the assessment estimates a total of 86 two-way trips by Heavy Goods Vehicles (HGVs) and 36 two-way trips by Light Goods Vehicles (LGVs). The assessment reflects a worst-case scenario, with up to 10 HGV deliveries anticipated during Phases 1 and 2. The movement of construction vehicles and any associated impacts will be managed and mitigated through the implementation of a Construction Environmental Management Plan (CEMP), which can be secured via a planning condition.

Once the development is built-out, there will be limited site presence during its operation. And therefore it is considered that the projected vehicle trips associated with the operation of the ESS are minimal, with maintenance visits typically involving around two staff on a monthly basis. These visits are usually carried out using LGVs or four-wheel drive vehicles. It is expected that no more than two staff members will be on-site at any one time during the operational phase. Consequently, no adverse transport or trip generation impacts are anticipated during this stage.

An adequate amount of space has been retained between the access route and the existing hedge line to the east to ensure that the alignment of PRoW Footpath 36 is retained. Suitable signage is proposed to be installed during the construction phase where PRoW Footpath 35 crosses the primary access route to notify users of the PRoW network that works are underway. The Transport Technical Note indicates that no safety concerns are expected for users of the PRoWs, as the anticipated use of the access track is minimal. The Transport Technical Note concludes that the proposed development can be served safely and will not have a 'severe' impact on the operation of the local highway network, in accordance with

paragraph 116 of the NPPF.

The Local Highway Authority notes that the requirement for stopping sight distances commensurate with a vehicle approach speed of 50 mph is considered to be appropriate. The provision and maintenance of the visibility splays will have a significant impact on the hedge boundary which will need to be removed / lowered / set back. The proposed access dimensions, informed by swept path analysis, are considered appropriate to accommodate the predicted and likely vehicle movements during the construction phase of the facility. Concern was raised about control over the secondary access and how this would be limited to emergency use only and not used by construction traffic. While the updated Highways Technical Note acknowledges that the impact on the intensity of this use is considered 'negligible' due to only being used for emergencies, a condition could be imposed to prevent any other use of that access in relation to the proposed use. In any case, it is likely to be inconvenient for the farm complex and not well suited for any kind of regular use.

The Local Highway Authority notes that predicted trip generation during the construction phase would not have an unacceptable impact on the highway network and that analysis has been carried out in relation to the abnormal loads expected and suitable routes for these. The proposed routing for the abnormal loads identified as 'route 2' in the Transport Assessment is considered to be the most appropriate route. This involves a route from J28 of the M1 through Huthwaite along Chesterfield Road to the site. Access width details and information on passing places have been provided as requested by the Local Highway Authority.

The Local Highway Authority notes that the applicant has had feedback from Derbyshire County Council's Public Rights of Way team regarding the impact of the internal access road on the existing public footpaths which run through the site. The comments request maintenance of a 2m width to maintain existing alignments of the public footpaths.

Subject to recommended conditions, the develop is considered acceptable in relation to its access and impacts on the highway network.

The impact on residential amenity

The nearest residential property is the farmstead of Hurst Farm, which will be approximately 280m from the fence of the ESS area. This property is occupied by the owners of the land holding on which the development is proposed. A letter of support has been received from the landowners setting out that the proposed development provides an additional income stream that will support the ongoing operation of farm activities at the site and improve the farm's resilience. The letter sets out how they have worked with the applicant to ensure that the proposal remains compatible with ongoing farm operations and is mainly situated on land that is the hardest to farm. The landowners agree with the findings of the submitted Noise Impact Assessment in that the development will not result in significant noise impacts on the property and they consider that the proposed planting will adequately screen the development from their residential property.

In terms of screening, the residential farmhouse is to the south of the built form of the farm complex and therefore the development is effectively screened by other farm buildings. Views of the access track and perhaps the temporary compound may be possible but with the proposed planting, including along the access track, the impact is considered acceptable.

The Environmental Health Officer has been consulted and requested further information in relation to the resulting impact and to confirm the occupiers are connected to the proposed development. A further response from the noise consultants was submitted that explains that:

“the noise impact assessment shows an initial adverse impact at night at NSR 1 [the farm house] based on the exceedance of the rating level over the background sound level based on worst-case operation mode of the BESS units. In line with the BS4142 methodology this impact has been modified due to the context of the site including that the initial adverse impacts only identified for one of the three potential bedrooms and the financial involvement of the occupiers with the scheme. Given that there is a low impact, it is considered that the predicted noise is below the LOAEL and so it is not considered that any mitigation would be warranted in line with the outcomes presented in PPG [Planning Practice Guidance].”

A condition is suggested by the noise consultant to control the noise level to not exceed that predicted in the Noise Impact Assessment. The Environmental Health Officer has confirmed they are satisfied with the information.

The Noise Impact Assessment identifies that other noise sensitive receptors are dwellings to the east of Wharf Lane and dwellings on Shepherd's Lane. The dwellings at Wharf Lane are approximately 100m from the access track but 630m from the ESS area. The dwellings at Shepherd's Lane are approximately 610m from any part of the site. Noise from the proposed development is expected to have a low impact at both of these locations based on the initial consideration of the rating level compared to background sound levels.

The Noise Impact Assessment concludes that the noise of the proposed development is acceptable, complies with the relevant policy and guidance and therefore needs not be a determining factor in the granting of planning approval for the proposed development.

Given the distance from any other residential properties to the ESS area, any potential views from these properties are expected to be minimal. It is accepted that properties along Wharf Lane will likely have views of the access track, but on completion of the construction phase and proposed planting, this view is not considered unacceptable and the limited presence of site operatives after the development is completed is also not expected to result in significant noise / nuisance.

Given the connection with the nearest noise sensitive receptor, and with relevant conditions imposed, the development is considered acceptable with regard to residential amenity.

Contamination and land stability

Part of the site is within the Coal Authority Development High Risk Area. The Coal Authority records that the site is in an area of likely historic unrecorded coal workings at shallow depth. If shallow coal workings are present then these may pose a potential risk to surface stability and public safety. The application is accompanied by a Coal Mining Risk Assessment report and the Coal Authority note that it concludes that unrecorded underground coal mine workings at shallow depth may be present beneath the site.

The report makes recommendations for ground investigations to be carried out on the site in order to establish the extent of any unrecorded shallow mine workings and to inform any remedial works and mitigation measures needed to ensure the site is safe and stable.

The Coal Authority states that the intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal mining legacy present and the risks it may pose to the development and inform any remedial works and/or mitigation measures that may be necessary.

The Coal Authority advises that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist and these risks should be considered by the Local Planning Authority. The Environmental Health Officer has also been consulted and recommends a standard contamination condition given a previous use of the northern part of the site for motor cross and considering the comments of the Coal Authority. With the Coal Authority and Environmental Health recommended conditions, the proposal is considered acceptable with regard to contamination and land stability. Conditions relating to drainage details will also be required at the request of the Lead Local Flood Authority and Yorkshire Water, which is also a consideration of land stability where SuDS are proposed where any mine workings may be present beneath the site.

Other matters

Fire risk

While fire risk is clearly a significant consideration of development of this nature, the detail of managing and mitigating such risk generally sits outside of the planning process as a matter for the technical design of apparatus and operational management procedures implemented by the operators. It is clear that regard has been given to this consideration from the details submitted with the application, including an Outline Battery Safety Management Plan (OBSMP) and the information provided in the Planning Statement, and with Derbyshire Fire and Rescue Service (DFRS), while not a statutory consultee, having no objections to the proposal. DFRS have provided signposting to relevant guidance for the developer and requested notification when the construction is nearing completion, so that fire crews may visit the site to familiarise themselves with the location, site access, site layout, available water supplies and access information. It is still considered necessary and reasonable to impose a condition requiring a detailed Battery Storage Management Plan (BSMP), including Emergency Plans and Risk Assessments, to be submitted prior to the development being brought into use and implemented in accordance with the approved document thereafter.

Commencement timescale

While it is usual for most planning permissions to require development to commence within three years, there are provisions for a longer timeframe to be imposed where considered reasonable. In this instance, the applicant has requested seven years due to the technical arrangements that need to be completed upon receiving planning permission and procurement of the apparatus. This is considered reasonable given the nature of the project.

CONCLUSION / PLANNING BALANCE

While the proposal conflicts with Local Plan policies SS9 and SC5, relating to development within and changes of use in the countryside, the proposal is considered to accord with policy SC6, relating to renewable and low carbon energy.

Policy SC6 provides for significant weight will be given to the achievement of wider environmental and economic benefits when considering application for renewable energy generation, and supports the granting of planning permission unless there would be significant harm to the visual appearance and character of the area, significant harm to the amenity of local residents, significant harm to ecology or harm to the historic environment.

While the proposed development does not directly generate renewable energy, it does provide for the storage of energy produced by renewable sources that would otherwise be wasted if the full demand does not exist at the time it is generated. In that respect, the proposal supports the effectiveness of renewable energy developments and benefits that can be obtained from renewable energy production, making growth of that sector more viable and supporting energy resilience and the climate change objectives. As such, the proposal is considered to fall within the spirit of policy SC6.

It is therefore necessary to assess whether the weight that should be afforded to the economic and environmental benefits of the proposed development outweighs the visual and heritage impacts given the countryside location and setting of Hardwick Hall.

The location of the site, topography of the land and proposed design and planting is considered to limit the visual impact of the development to isolated vantage points around Hardwick Hall. The impact on heritage assets is therefore considered on the low end of 'less than significant'. While detached from the farm complex and resulting in a degree of visual industrialisation of the countryside location, it is read to some extent in the context of the existing pylons and power lines, and the M1 motorway which is adjacent. The visual harm is, to some extent, mitigated for by the design and proposed landscaping / screening, as required by policy SC6.

On balance, the conflict with countryside policies of the Local Plan and harm identified is considered to be outweighed by benefits of the development, having regard to the importance of energy security, the importance of supporting the provision and use of renewable energy, national policy and guidance on the subject and related appeal decisions.

RECOMMENDATION

The current application be APPROVED subject to the following conditions:

1. The development must be begun before the expiration of seven years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings and documents unless specifically stated otherwise in the conditions below:
 - Location Plan GBR_Hurst Farm_AD - SLP_07 – Drawing no. AD-SLP, received 23 July 2025
 - Preliminary Design Layout GBR_Hurst_LP2-PDL-BESS_05 – Drawing no. LP2-PDL, received 10 October 2025
 - Planning Statement, received 11 July 2025
 - Design and Access Statement, received 11 July 2025
 - Economic Impact Assessment, received 11 July 2025
 - Heritage Impact Assessment – Report ref. PR0219, received 11 July 2025
 - Landscape and Visual Appraisal – Report ref. 0001 V1, received 11 July 2025
 - Settings Impact Assessment – Report ref. PR0219, received 11 July 2025
 - Coal Mining Risk Assessment – Report ref. 350829 R01 (01), received 11 July 2025
 - Noise Assessment – Report ref. 243787-BWB-ZZ-XX-T-YA-0003_NIA Rev. P03, received 11 July 2025
 - General Arrangement of Site Access - Drawing no. HFD-BWB-GEN-XX-DR-TR-101 S2 Rev. P7, received 10 October 2025
 - General Arrangement of Access from Site to Road – Overview – Drawing no. HFD-BWB-HML-00-DR-TR-100 S2 Rev. P8, received 10 October 2025
 - Landscape Strategy Plan – Drawing no. NT16771-020 Rev. P07, received 10 October 2015
 - Archaeological Evaluation Report – Report ref. 25020 Version V1.3, received 10 October 2025
 - Ecological Impact Assessment – Report ref. 16625_R04c_ECG Rev. C, received 10 October 2025
 - Ecological Impact Assessment Tree Retention and Removal Plan – Drawing no. 16625-P05d, received 11 July 2025
 - Ecological Impact Assessment Bat Static Location Plan – Drawing no. 16625/P07, received 11 July 2025
 - Highways Technical Note – Report ref. HFD-BWB-GEN-XX-RP-TR-0001 Rev. P04, received 10 October 2025
 - Geophysical Survey Report – Report ref. 2025-47, received 31 July 2025
 - Indicative Drainage Strategy Sheet 1 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0001 S2 Rev. P07, received 30 July 2025

- Indicative Drainage Strategy Sheet 2 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0002 S2 Rev. P04, received 11 July 2025
- Indicative Drainage Strategy Sheet 3 of 3 – Drawing no. 243787-BWB-ZZ-XX-D-W-0003 S2 Rev. P05, received 30 July 2025
- Swept Path Analysis – Abnormal Indivisible Load – Drawing no. HFD-BWB-HGN-XX-DR-TR-131 S2 Rev. P1, received 30 July 2025
- Swept Path Analysis – Abnormal Indivisible Load – Drawing no. HFD-BWB-HGN-00-DR-TR-113 S2 Rev. P1, received 11 July 2025
- Swept Path Analysis – Large Tipper – Drawing no. HFD-BWB-HGN-00-DR-TR-114 S2 Rev. P1, received 11 July 2025
- MV Skid Elevations UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 30 July 2025
- Archaeological Desk-Based Assessment – Report ref. PR0219 (5th Issue), received 30 July 2025
- Biodiversity Gain Plan – Report ref. 16625_R05_NB, received 30 July 2025
- Climate Change Statement, received 27 July 2025
- Biodiversity Metric, received 16 July 2025
- Flood Risk Assessment – Report ref. 243787-BWB-ZZ-XX-T-W-0002_FRA S2 Rev. P01, received 16 July 2025
- Sustainable Drainage Statement – Report ref. 243787-BWB-ZZ-XX-T-W-0001_SDS Rev. P03
- Indicative SuDS Sections – Drawing no. 243787-BWB-ZZ-XX-D-W-0004 S2 Rev. P01, received 11 July 2025
- Topographical Surveys, received 11 July 2025
- Tree Constraints Plan – Drawing no. 16625/P04c, received 11 July 2025
- Existing and Proposed Ground Levels – Main Access GBR_Hurst-Existing and Proposed Ground Levels - Main Access Track_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Levels GBR_Hurst-Proposed Ground Levels_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Energy Storage System Area GBR_Hurst_Proposed Ground Profiles – Energy Storage System Area_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Substation GBR_Hurst_Proposed Ground Profiles – Substation_00 – Drawing no. 01, received 11 July 2025
- Emergency Access – Drawing no. HFD-BWB-GEN-XX-DR-TR-112 S2 Rev. P3, received 11 July 2025
- Auxiliary Transformer GBR_EPD_Auxiliary Transformer_02 – Drawing no. GBR_EPD_AUX, received 11 July 2025
- BESS CCTV GBR_EPD_BESS CCTV_00 – Drawing no. GBR_EPD_BCC, received 11 July 2025
- BESS Lighting GBR_EPD_BESS Lightning_00 – Drawing no. GBR_EPD_BLG, received 11 July 2025

- BESS Security Fence GBR_EPD_BESS Security Fence_02 – Drawing no. GBR_EPD_BSF, received 11 July 2025
 - BESS Security Gate GBR_EPD_BESS Gate_02 – Drawing no. GBR_EPD_BSG, received 11 July 2025
 - DNO Generator GBR_Hurst_EPD_DNO Generator_00 – Drawing no. GBR_EPD_DNO GEN, received 11 July 2025
 - DNO GRP GBR_Hurst_EPD_DNO GRP_00 – Drawing no. GBR_EPD_DNO GRP, received 11 July 2025
 - EV Charger GBR_Hurst_EPD_EV Charger_00 – Drawing no. GBR_EPD_EVC, received 11 July 2025
 - Entrance Wall and Gate GBR_EPD_Entrance Wall and Gate_00 – Drawing no. GBR_EPD_EWG, received 11 July 2025
 - Backup Generator GBR_EPD_Backup Generator 20_00 – Drawing no. GBR_EPD_G20, received 11 July 2025
 - GRP GBR_EPD_GRP_00 – Drawing no. GBR_EPD_GRP, received 11 July 2025
 - Monitoring House / Communication Building GBR_EPD_Monitoring House/Communication Building_01 – Drawing no. GBR_EPD_MH/CB, received 11 July 2025
 - Indicative Road Section GBR_EPD_Indicative Road Cross Section_01 – Drawing no. GBR_EPD_RCS, received 11 July 2025
 - Spares Container GBR_EPD_Spares 40' Container_01 – Drawing no. GBR_EPD_S40, received 11 July 2025
 - Storage GBR_EPD_Storage_00 – Drawing no. GBR_EPD_STG, received 11 July 2025
 - Substation GBR_Hurst_EPD-Substation_00 – Drawing no. GBR_EPD_SUB, received 11 July 2025
 - Toilet GBR_EPD_Toilet_01 – Drawing no. GBR_EPD_TLT, received 11 July 2025
 - BESS Enclosures UK_EPD_BESS Enclosures_00 – Drawing no. UK_EPD_BSS, received 11 July 2025
 - MV Skid UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 11 July 2025
 - Outline Battery Safety Management Plan – Report ref. ARC-1198-003-R1 Issue 2, received
 - Arboricultural Impact Assessment – Report ref. 16625_R03d, received 11 July 2025
 - Tree Survey Schedule – Report ref. 16625_TSS, received 11 July 2025
 - Archaeological Written Scheme of Investigation – Report ref. PR0219 (4th Issue), received 11 July 2025
3. Notwithstanding the details contained in the plans approved under condition 2, no development shall take place until full details of the final positioning, design, materials and colour of any above-ground buildings, structures and boundary treatments have been submitted to the Local Planning Authority and approved in

writing. The approved details shall be implemented in full and maintained as such thereafter.

4. The rating level of noise emitted from the BESS site shall not exceed the rating levels predicted in the Noise Impact Assessment prepared by BWB, dated 27/06/2025, as measured or calculated in accordance with BS 4142:2014+A1:2019. Within one month of the site becoming fully operational the site operator shall undertake measurements of noise from the site and through measurement and/or calculation assess the level of noise in terms of compliance with this condition. The results shall be submitted to the Planning Authority.
5. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until:

a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.

b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:

- the likely presence of potentially hazardous materials and substances,
- their likely nature, extent and scale,
- whether or not they originated from the site,
- a conceptual model of pollutant-receptor linkages,
- an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,
- details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

6. Before the commencement of the development hereby approved:

Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after

remediation.

The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

7. No buildings hereby approved shall be occupied until:
 - a) The approved remediation works required by condition 6 above have been carried out in full in compliance with the approved methodology and best practice.
 - b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in conditions 5b to 6 above and satisfy 7a above.
 - c) Upon completion of the remediation works required by conditions 6 and 7a above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance / Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.
8. Prior to commencement of the development hereby approved, full details of the surfacing to be used on the access track and BESS compound must have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented in accordance with the approved details and maintained as such thereafter.
9. Prior to the installation of external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy should be designed to safeguard bats and other nocturnal wildlife, as well as protect visual amenity. The strategy shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. The strategy shall provide for lighting to only be in use while site operatives are on site to minimise the durations of use. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. The strategy shall refer to the recommendations in the Ecological Impact Assessment (EclA) (Tyler Grange, July 2025). It shall also explain how proposals have been designed in compliance with Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The approved measures shall be implemented in full and maintained as such thereafter.
10. No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction

Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall be produced by an ecologist and shall expand upon recommendations in the Ecological Impact Assessment (EcIA) (Tyler Grange, July 2025). It shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction to retained habitats, amphibians, water voles, nesting birds, hedgehog, bats and badger.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

11. Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall clearly show positions, specifications and numbers of features, in line with those recommended in the Ecological Impact Assessment (EcIA) (Tyler Grange, July 2025), as well as details of a wild bird mix to be included in landscaping at suitable places around the site boundary. The development shall be implemented in accordance with the approved details.
12. Notwithstanding the landscaping details hereby approved, an additional strategy / details relating to trees along the access track shall be submitted to and approved in writing by the Local Planning Authority, taking account of Derbyshire Wildlife Trust’s comments on the potential for predatory birds using such trees and the need to avoid this issue. The approved supplementary details shall be implemented in collaboration with the other approved landscaping details, superseding them where there is an overlap.
13. A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. If the standard HMMP template is not used, the HMMP checklist shall be consulted to ensure all appropriate information is included. The HMMP shall identify the habitats to be retained, created and / or enhanced on the site over the mandatory 30-year period and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not. Guidance on producing a HMMP can be found here: <https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain>

14. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Advisory routes for construction traffic;
 - Any temporary access to the site;
 - Locations for loading/unloading and storage of plant, waste and construction materials;
 - Method of preventing mud and dust being carried onto the highway;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Highway Condition survey;
 - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
15. The existing access to Hurst Farm, shown as 'secondary access' on the Preliminary Design Layout GBR_Hurst_LP2-PDL-BESS_05 – Drawing no. LP2-PDL, received 10 October 2025, shall be used only in the case of an emergency and for no other purposes associated with the construction or operation of the development hereby permitted.
16. The development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on the revised submitted drawing(s).
17. The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 160m metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.
18. Full details of the point of connection between the approved development and the local distribution network shall be submitted to and approved by the Local Planning Authority prior to the connection being made. The connection shall be designed to be as visually inobtrusive as possible, preferably with cabling being laid underground. The development shall be implemented in accordance with the approved details.
19. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a. Alex Eaton, BWB Consulting, June 2025, Flood Risk Assessment, Revision P03.
- b. A Shademani, BWB Consulting, April 2025, Indicative Drainage Strategy Sheets 1-3, Drawing numbers: NT16771-020, 243787-BWB-ZZ-XX-D-W-0002 & 243787-BWB-ZZ-XX-D-W-0003, Revision P05.
- c. A Shademani, BWB Consulting, April 2025, Indicative SuDS Sections, Drawing Number: 243787-BWB-ZZ-XX-D-W-0004, Revision P01.
- d. A Shademani, June 2025, Sustainable Drainage Statement, Revision P03. e. And DEFRA's national standards for sustainable drainage systems (June 2025), have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

- 20. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 56 Reference ID: 7-056-20220825 of the planning practice guidance.
- 21. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
- 22. No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the Local Planning Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and
 - 1. The programme and methodology of site investigation and recording
 - 2. The programme for post investigation assessment
 - 3. Provision to be made for analysis of the site investigation and recording
 - 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 - 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation.

- 23. The development shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition 22 and the provision to be made for publication and dissemination of results and archive deposition has been secured.

24. No above ground development shall commence until (excluding demolition of existing structures and site clearance);
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

25. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
26. Planning permission is granted for a temporary period only and shall cease to have effect 40 years following the date of receipt of the Final Operational Notification (FON) from the District Network Operator (DNO) (or equivalent organisation). The FON shall be submitted to the local planning authority within 14 working days of the date of its receipt from the DNO.
27. Eighteen months before the end of the 40-year period taken from the FON date submitted under condition 26, a scheme of restoration shall be submitted to and approved in writing by the local planning authority including:
1. details of the retention of the substation and associated apparatus to be adopted by the DNO, retention of any approved boundary treatment(s), retained and new landscape planting, and biodiversity enhancements to remain in perpetuity; and,
 2. a written scheme of restoration for returning the site to an arable field on cessation of energy storage at the site.

The approved scheme of restoration shall be implemented and completed within 12 months of the end of the 40-year period taken from the date submitted under condition 26.

28. Notwithstanding the Outline Battery Safety Management Plan (OBSMP) submitted with the application, the development shall not be brought into use until a detailed Battery Safety Management Plan (BSMP) has been submitted to and approved in writing by the Local Planning Authority. The BSMP shall include Emergency Plans and Risk Assessments which will include the interfaces with external first responder organisations. The development shall be implemented in accordance with the approved BSMP.

Reasons for Conditions

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of proper planning and to define the scope of the permission.
3. To ensure an acceptable visual impact in accordance with policies SS1, SC2, and SC3 of the Local Plan for Bolsover District.
4. To ensure an acceptable residential amenity in accordance with policy SC11 of the Local Plan for Bolsover District.
5. To protect future occupiers of the development, buildings, structures / services, ecosystems and controlled waters, including deep and shallow ground water, in accordance with policy SC14 of the Local Plan for Bolsover District.
6. To protect future occupiers of the development, buildings, structures / services, ecosystems and controlled waters, including deep and shallow ground water, in accordance with policy SC14 of the Local Plan for Bolsover District.
7. To protect future occupiers of the development, buildings, structures / services, ecosystems and controlled waters, including deep and shallow ground water, in accordance with policy SC14 of the Local Plan for Bolsover District.
8. To ensure an acceptable visual impact in accordance with policies SS1, SC2, and SC3 of the Local Plan for Bolsover District.
9. To safeguard wildlife and visual and residential amenity, in accordance with policies SS1, SC9, SC3 and SC9 of the Local Plan for Bolsover District.
10. In the interest of biodiversity and safeguarding wildlife in accordance with condition SC9 of the Local Plan for Bolsover District.
11. In the interest of biodiversity and safeguarding wildlife in accordance with condition SC9 of the Local Plan for Bolsover District.
12. In the interest of biodiversity and safeguarding wildlife in accordance with condition SC9 of the Local Plan for Bolsover District.
13. In the interest of biodiversity and safeguarding wildlife in accordance with condition SC9 of the Local Plan for Bolsover District and the mandatory BNG provisions.
14. In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the

development in accordance with policy ITCR10 of the Local Plan for Bolsover District.

15. In the interests of highway safety in accordance with policy ITCR10 of the Local Plan for Bolsover District.
16. In the interests of highway safety in accordance with policy ITCR10 of the Local Plan for Bolsover District.
17. In the interests of highway safety in accordance with policy ITCR10 of the Local Plan for Bolsover District.
18. To ensure an acceptable visual impact in accordance with policies SS1, SC2, and SC3 of the Local Plan for Bolsover District.
19. To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided in accordance with policy SC7 of the Local Plan for Bolsover District.
20. To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options in accordance with policy SC7 of the Local Plan for Bolsover District.
21. To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk in accordance with policy SC7 of the Local Plan for Bolsover District.
22. In the interests of preserving and / or understanding and recording potential significant archeological features in accordance with policy SC18 of the Local Plan for Bolsover District.
23. In the interests of preserving and / or understanding and recording potential significant archeological features in accordance with policy SC18 of the Local Plan for Bolsover District.
24. To ensure the safety and stability of the proposed development in accordance with policy SC14 of the Local Plan for Bolsover District.
25. To ensure the safety and stability of the proposed development in accordance with policy SC14 of the Local Plan for Bolsover District.
26. To define the scope of the permission.

27. To ensure a satisfactory restoration of the site following the development in accordance with policies SS1, SC2 and SC3 of the Local Plan for Bolsover District.

28. In the interests of safety of the public and environment in accordance with policies SC2, SC3 and SC9 of the Local Plan for Bolsover District.

Statement of Decision Process

Officers have worked positively and pro-actively with the applicant to address issues raised during the consideration of the application. The proposal has been considered against the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the Framework.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e., “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic.

Human Rights Statement

The specific Articles of the European Commission on Human Rights (‘the ECHR’) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this ‘balancing exercise’ in the above report, officers are satisfied that the potential for these proposals to affect any individual’s (or any group of individuals’) human rights has been addressed proportionately and in accordance with the requirements of the ECHR.