LETCHMORE HEATH VILLAGE TRUST OBJECTIONS TO APPLICATION 23/1508/23

Letchmore Heath Village Trust (the Trust) strongly objects to the proposal to build a Battery Energy Storage System (BESS) as set out in application 23/1508/OUT for the reasons set out below.

1.GREEN BELT

This proposal is for a BESS on Green Belt land. Within the Green Belt there is a presumption against inappropriate development. That is harmful unless very special circumstances can be demonstrated.

No very special circumstances exist so as to allow the development. This is not energy production, it is storage. Battery energy storage is often mistakenly viewed as being green energy. This is simply not true and this was confirmed by the developer at the Letchmore Heath presentation under specific questioning and in the applicant's Green Belt study "….the proposal itself is not a renewable energy project". Furthermore this method of storing energy is inherently wasteful as between 10 and 20 % of it is lost in the process of charging and discharging.

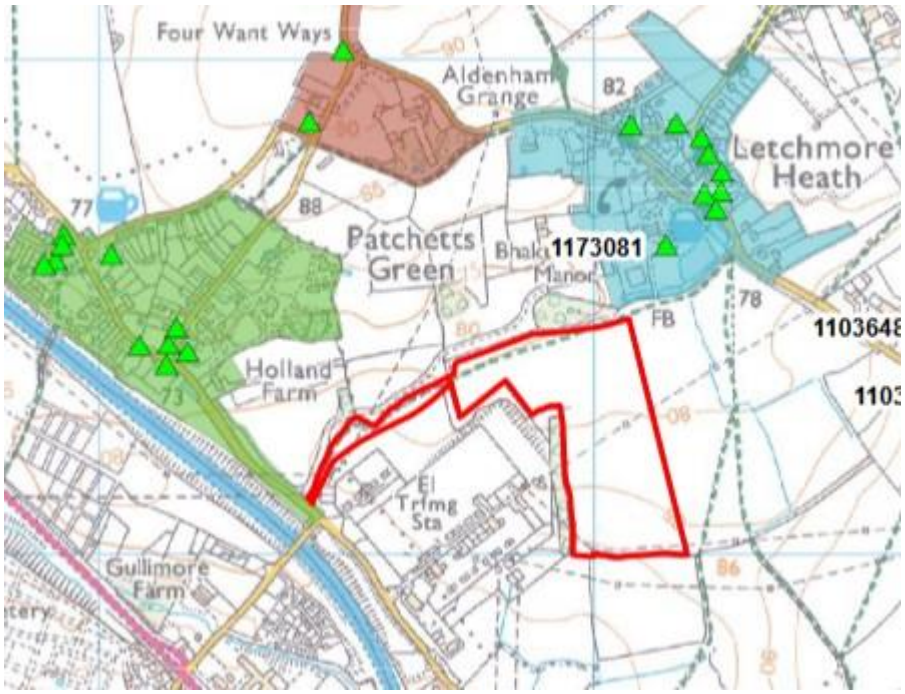
What a BESS does is store energy that has already been generated from a mixture of sources including coal, gas and nuclear. In other words ,they are source neutral, meaning they will store whatever electricity is flowing through the grid, no matter how it was generated. The energy is bought from the National Grid when prices are low and is then sold back when prices are high.

NPPF 2019 broadly acknowledges the importance of supporting renewable energy (paragraph 148) but also advises that even so within the Metropolitan Green Belt, elements of many renewable energy projects will comprise inappropriate development (paragraph 147) However as stated this is not a renewable energy project.

The applicant's Green Belt statement states "this associative development would provide enhanced energy resilience in the National Grid" but this is not correct; if storage was required for balancing purposes it would only be a very small fraction of what is proposed. It is not accepted that this project amounts to very special circumstances; no evidence has been produced to indicate that this storage is required by National Grid (NG) and even if it were due to the physics of electricity these services can be provided from any location that has a

grid connection of sufficient size. Accordingly this could be sited on brownfield land near one of the very many other 136 NG substations around the UK particularly as a 132Kv connection is proposed. The development on brownfield land would satisfy one of the core principles of the Green Belt which is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land, thus also satisfying two other Green Belt principles, to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of the three adjacent conservation areas and their rural low-density character under Green Belt designation policy.

The development would have a coalescing effect and remove the long views and open aspect to the south of each of the conservation areas of Letchmore Heath, Patchetts Green and Round Bush and close up an essential gap formed by the open fields,



CONSERVATION AREAS OF LETCHMORE HEATH, PATCHETTS GREEN AND ROUNDBUSH AND COALESCING EFFECT OF DEVELOPMENT

The applicant has lodged 4 decided cases in support of building a BESS on Green Belt but these can easily be distinguished from the current case follows :

- Appeal Ref: APP/K0425/W/22/3294722- Land off Coldmoorholme Lane, adjacent to the electrical substation, Well End, Bourne End, SL8 5PS. Decision date: 31st July 2023; this application was for a modest 7mw.

- Appeal Ref: APP/N5090/W/22/3298962- Land west of National Grid Mill Hill Substation, Mill Hill NW7 1NT. Decision date: 13th March 2023-.49 H /20 containers/600 m CA/; no PROWs were affected and the BESS was entirely hidden from public views.

- Appeal Ref: APP/N2739/W/22/3300623- Rawfield Lane, Fairburn, Selby LS25 5JB. Decision date: 1st December 2022-; this was sited in a natural dip, nowhere near a conservation area and was for 104 containers.

- Appeal Ref: APP/C3430/W/22/3292837- Land West of Wolverhampton West Primary Substation, South Staffordshire Railway Walk Wolverhampton, WV4 4XX. Decision date 16th August 2022; this related to just 28 containers.

Instead the Council is referred to 18 /1587/OUT refused by Hertsmere Borough Council in May 2019 and on appeal in March 2020. This was for a 1.1 acre BESS (in that case referred to as an "ESS") on Green Belt land for a temporary period of 20 years at Hilfield Farm on Hilfield Lane, a small part of the land had previously been developed. In refusing permission it was noted , as with the current application *"Officers have not been provided with enough detail on the source of the electricity currently being provided, for example a high percentage of the electricity being produced may be from non-renewable, highly polluting energy sources……. The ESS is not a low carbon energy source in itself as it would simply store energy with the average carbon factor from the national grid. Ideally such a facility should be co-located alongside renewable energy sources to ensure it stores low carbon energy and ensures this can be used at times of lower generation, thereby maximising the benefits as set out in section 14 of the NPPF. The location alongside one of the aforementioned larger facilities or outside of the Green Belt would be both more beneficial and create less harm. The proposed development would therefore fail to accord with SADM policies 22 and 26, Core Strategy 2013 polices SP1, SP2 and CS13 and the advice contained within the NPPF 2019."*

This proposal does not meet local needs, has no benefit to the local community, brings no local employment and cannot be justified. Very special circumstances do not apply so as to permit development.

2. LANDSCAPE AND VISUAL IMPACT

The effect of the proposed development on the openness and purposes of the Green Belt must be taken into account in considering whether very special circumstances apply. Two of those purposes are to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of historic towns, and also the effect of the proposed development on the character and appearance of the area.

In addition Hertsmere Local Plan requires that development should be located as unobtrusively as possible, isolated buildings should be avoided, and should not be harmful to the openness of the Green Belt.(SADM 27); this proposal will introduce a significant quantity of built development.

Openness is capable of having both spatial and visual aspects .

As to visual aspects the features of this proposal will erode the undeveloped nature of the site and will have a harmful, industrial, urbanising and intrusive effect on the rural nature of the site by virtue of the scale, height and bulk of the development. It will result in unacceptable harm to the openness of the landscape, character and visual amenity of the surrounding area contrary to SADM 27. The building of the access and perimeter roads, approximately 2 kms, will represent further intrusion.

Although the applicant proposes screening this will take many years to mature and will probably never completely screen the development , aspects of the plant and machinery will reach 6.5 metres. Even from aspects where screening may be successful that will not occur until year 15 which is towards 40% through the anticipated life of the development. The development will be a huge eyesore for many years and have a detrimental impact on the setting of and important views from the conservation areas , Bhaktivedanta Manor (The Manor) other nearby properties including Hilfiled Castle and a number of footpaths representing a significant change in visual openness.

The Trust also questions the safety of the proposed screening. The guidance from the NFCC referred to in paragraph 4 below states *"areas within 10 metres of BESS units should be cleared of combustible vegetation and <u>any other vegetation on site s</u>hould be kept in a condition such that they do not increase the risk of fire on site. Areas with wildfire risk or vegetation that would result in significant size fires should be factored into this assessment and additional*

cleared distances maintained as required." It would seem that much of the proposed screening planned will trigger this risk.

As to spatial issues the elevations and details of the main components of the development indicate that they will comprise of rectilinear structures of approximately 3.2 metres in height plus a base and rooftop air conditioning units, all set out in a regimented format. There will be 400 containers for the batteries and 100 containers for the inverters. The height of the switch rooms at 4.4 m and the substations at 6.5 m will exceed that. The development would have an adverse spatial impact on the land.

The usage of the footpaths in and around the site will be adversely affected by the development both in terms of views and noise.

The Trust has further concerns regarding footpath A29. There is a very tight pinchpoint here and the widening of the current access track will compromise it. This is unacceptable particularly as this is shown on the Council's current Rights of Way improvement plan as being a footpath which is designated for an upgrade.

The Trust has reviewed the applicants Landscape and Visual Impact Statement (LVIA). The Council will be aware of the requirement to provide an even spread of representative viewpoints within the visual envelope from locations which represent a range of near (local views), middle, and long-distance views yet the applicant's Landscape and Visual Impact assessment fails to do this. It states *"whilst private views are relevant, public viewpoints, i.e. from roads and public rights of way and other areas of open public access, are selected since they tend to have a higher incidence of receptors affected. The assessment of views from individual private properties was not part of the scope of this LVIA. Publicly accessible views, which are close to residential receptors, such as along PRoW or roads are included where appropriate."* This is inadequate and not acceptable and we see no good reason for having totally excluded private views- it has led to a deficient and misleading conclusion. For example the Manor- from the main Grade II Listed mansion, its grounds and also from the access road Dharam Marg will have significant views of the site as does Aragon on Aldenham Road and the upper levels of parts of Aldenham School.

The LVIA provides at 2.3 that "the northern boundary of the site with Bhaktivedanta Manor is well treed with mature hedgerow and hedgerow trees" and this is restated in the Abriocultural Survey. This is entirely wrong; the

boundary between the sites is wide spaced palisade type fencing with limited tree screening as illustrated by the picture taken from the Manor's property. This photo was taken in summer when vegetation was still in leaf.

VIEW FROM THE MANOR OVER THE SITE

It is clear that a consideration of the site from viewpoint 1A is insufficient – it is taken at ground level on the site side of the palisade fencing. It entirely ignores the Manor immediately behind and its clear views over the site. The three rooms of the founder, His Divine Grace A. C. Bhaktivedanta Swami Prabhupada are kept as a shrine. These are on the first floor and have entirely clear and open views over the site to which no consideration has been given. These 3 rooms span the majority of the first floor.

EXTERNAL VIEW OF THE THREE FIRST FLOOR SHRINE ROOMS AT THE MANOR WHICH HAVE CLEAR AND LONG VIEWS OVER THE SITE

The statement that "the Conservation Areas and site are not intervisible due to mature trees along the northern edge of the site" is incorrect. For example at Letchmore Heath there is complete intervisibility from Aragon on Aldenham Road and even more so for anyone on the opposite side of Aldenham Road at a position in front of Aragon, Donard or Wansford.

Although screening is proposed it will take time to mature and even then it will be hard to hide the brick built substations which at 6.5 m are almost 50% higher than the average UK house; these too will be visible from Letchmore Heath.

3. NOISE

The Applicant has advised the Trust that a new NG substation would have to be constructed in order to handle the very large additional amounts of power to be stored and discharged from the BESS. This would be known as Elstree B and be built on the existing Elstree substation site footprint. Although NG may not require planning permission, the operational noise of such an additional development, and caused by the application, needs to be considered and added to the Noise Impact Assessment (NIA) of the application.

The application, from the accompanying NIA, does not comply with Paragraph 174 of the NPPF which provides that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of noise pollution. Equally, and fundamentally, the application does not comply with Hertsmere's 2016 – Site Allocations and Development Management Policies Plan, Clause 4.68, which states:

Where new development is likely to generate noise above existing background noise levels, mitigation measures should be proposed alongside any application. An assessment by a competent person in accordance with BS 4142:1997, together with any government technical guidance, should be submitted as part of a development proposal, where it is likely to generate noise and is located close to existing sensitive receptors. The assessment should demonstrate that any noise produced will not cause an increase in background noise level beyond the development site boundary. Any noise generated should be -10dB below the existing background noise level.

The applicant's NIA concludes that additional background noise levels will be +5dB. This is 15dB above Hertsmere's policy requirement. The BS4142 Noise Assessment Clause 11 b) states:" *A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context."*

Paragraph 185 of the NPPF provides planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site, or the wider area, to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life and identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The Council is also referred to the Noise Policy Statement for England DEFRA 2010 (NPSE) where 2.6 provides "the application of the NPSE should mean that noise is properly taken into account at the appropriate time." This means taking account of noise implications of a development at an early enough stage.

Noise is a major issue for the BESS industry and is the issue that will affect residents most on a day to day basis. Noise can destroy quality of life and have serious health implications. The Council is referred to the following example articles: https://www.bbc.co.uk/news/uk-england-leeds-63610977 described as noise torture. Similarly please see https://www.telegraph.co.uk/money/net-zero/net-zero-power-station-noise-scotland-sse/ where people are looking to move away.

The proposed BESS has 4 core noise sources:

1. In the absence of specific equipment information, industry sources suggest that the 400 battery containers and the 100 inverter containers will each have 2 air conditioning units (Heat pumps), resulting in a 1000 in total, possibly more, which will operate on a 24/7 basis and will constantly, but variably, emit tonal buzzing and humming proportional to the heating or mainly cooling load. These are normally mounted on the roof of the containers at a height of 3.5 metres. The higher above ground the noise source becomes, the more difficult it becomes to contain and control. For relevance, at the "called in " Solar Plant Inquiry in 2022 the noise consultants for both sides accepted an overall figure of 69dBA. However the figure was 74dB at the low frequency of 125Hz which are the hardest part of the sound spectrum to control. Subsequent research reveals that these figures may be too low and that the figure should be 77dB. Without equipment specifics it is impossible to calculate the noise effect on residents' bedrooms overnight, so the worst case values must be assumed and modelled.
2. The inverters which convert the battery power from DC to AC. are proportionately noisier as the load increases. As they will be charging the batteries overnight they will be at their noisiest for at least 4 hours sometime between 23:00 and 07:00. The "called in " Solar Plant Inquiry consultants agreed on an overall inverter noise figure of 87bdA.
3. The 10 transformers at various site locations convert the AC power up to 33kV. These low frequency 'hum' generating units are potentially the hardest to control, given the large amount of energy being transformed. Inexplicably, the noise impact of such transformers was not referred to, or considered, by applicant or objectors of the Solar Plant on the adjoining site. Such is the infancy of the BESS related considerations. This omission must not be repeated for this Giga-BESS application.

4. The 4 large BESS substation transformers, which convert the 33kV to 132kV, allow connection to the NG substation. The issues are the same as for the site transformers. However this assumes these units are air cooled. Some are fan cooled which adds to the noise. This will not be known until specifics are provided.

All the equipment noise is directly proportional to the charging and discharging 'load'. i.e. how hard the equipment is working. As the applicant's proposal is for a 1.5GWh capacity installation and their application to the NG is for a 400MW connection, they would be able to discharge maximum power for around 4 hours. This means that the equipment will be working at maximum noise levels overnight for at least 4 hours while recharging. The prevailing winds in Letchmore Heath are from the South and South West. The proposed site is South West of the Village. When the prevailing winds are blowing, the noise level will increase proportionately to the wind strength. This carries or transmits an additional range of 5 to 20dB with 12dB often used for modelling purposes. A 3dB increase is perceived as being twice as loud. The clear threat to overnight sleep is obvious.

Our rural community cannot reasonably be expected to accept an increase in current ambient noise levels at any time of the day or night. After the applicant's local presentation the Trust wrote to applicant asking " what noise levels above ambient do you expect" and they replied that " this information will be set out in the Noise Impact Assessment (NIA) which will assume a type of battery/container to provide example level". However the applicant has submitted a baseline illustrative noise report with no hardware details making it impossible to accurately model expected noise levels at the residences and sensitive sites at risk. Apart from that report being insufficient on its own terms, the Trust is concerned that, per the report, the community is being asked to accept a noise level of 5dB above background ambient. Hertsmere's policy requires the applicant to avoid an increase in background levels above the modelling target of -10dBA reference level. This means that any new noise sources must be at least 10dB lower than the measured background noise level at the residences at risk. For example, if the existing overnight ambient noise level was measured at 28dB, the noise created by the new devices should be calculated to be no more than 18dB at the same point, in order not to add to the existing background level. Even this notional 10dB headroom can be lost during prevailing winds. This is not, and could not be made, acceptable and would be classified as significant adverse impact. Adverse impacts include, but are

not limited to, annoyance and sleep disturbance. This noise level will be highly destructive to the daily life of the whole community.

We consider the applicant's NIA to be so deeply flawed as to be almost valueless, for the following reasons:

1. The single mid-field noise sensitive receptor (NSR) positioned at 1.5 metres above the ground is wholly insufficient. The 4.4 assertion that this is the worst case position because of Aldenham Road traffic is not accepted. Additional 3D (ground, first floor and top floor) measurements are required at:

    a. The sensitive site of the Manor which is a renowned spiritual sanctuary where the resident Devotees rise at 04.30 am and retire early evening. They would be particularly impacted by early evening and overnight noise increases. The Krishnas venerate their cattle and have concerns that any increased noise would impact on their welfare and essential milk production.

    b. The sensitive site of Aldenham Boarding School which has 250 residents students and staff, some in multi-storey blocks.

    c. Close to a representative residence on Aldenham Road.

2. BS 4142 states that it is inappropriate for use when considering low frequency noise. Instead tonal penalties have to be applied. Transformers are known to be tonal at around 100 and 200 Hz. No penalties have been applied but, with operational experience reported from elsewhere, we would expect to see either a +4 or +6dB penalty applied. Please see this EHDC Planning Refusal report based on the BESS effects of not including such penalties, leading to post development complaints https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1134187/EHDC_Environmental_Health_Redacted.pdf

3. The LA90 background noise figures are questionably inflated at 37 to 40dB, when applied to the Village and sensitive sites, as the survey location point is unrepresentatively closer to the M1 motorway.

4. There are differing full load and zero load operational conditions which, under BS4142, attract a 3dB penalty. This is absent. The major operational benefit of the BESS is touted as the ability to balance the NG Network on a per second basis under computer control. The

Intermittency condition of BS4142 will therefore be met and the penalty should be applied. It is not known if Impulsivity applies here. This requires an on-site report from an operational BESS of at least 100MW capacity to decide whether the likely higher penalty of Impulsivity or the Intermittency penalty of 3dB would apply.

5. Prevailing wind noise is not considered and appears to rely on the -10dBA headroom intended and provided by the Planning Policy. Wind noise can carry and transmit between 5 and 20dB of additional sound from the emitters. Thus wind risk would always be present.
6. The Appendix C graphs indicate a measurement time interval of 30 minutes, which we believe is inadequate. BS4142 2019 suggests a time interval of 15 minutes. BS4142 1997 advises a 5 minute interval. The more data points available the more this improves the reliability of the conclusions. In view of the overall noise sensitivity of the application site and crude data extrapolation risks, the Trust therefore requests that the re-survey or any new survey uses the 1997 5 minute time period methodology.
7. There is no consideration of the impact of the additional equipment required to create a new auxiliary Elstree B substation. This is required, with the additive effect properly considered. A dedicated NIA should be commissioned.
8. Section 5 of the NIA asserts that it is not possible to calculate the effect of the development until detailed design is complete. This is not accepted. Our research has found that industry norms are available, as were used and agreed between the Consultants acting for the applicant and the COG Rule 6 party for the 2022 Solar Plant Inquiry. Worst case figures should be used at this stage and then a meaningful and indicative result is possible.

Noise Conclusion

The Trust contends that properly modelled noise calculations, with appropriate penalty loadings and based on additional 3D survey locations with 5 minute data points, will cause the application to fail to comply with policy. This can waste a great deal of time and causes immense worry for the very long time it takes to exhaust planning due process. We request that either the applicant or the Council produce a meaningful NIA that can withstand professional scrutiny, as soon as possible. Concurrently we request that the Council obtains a Noise Impact Assessment for Elstree B. If this cannot be provided then we suggest

this is sufficient grounds to reject the Outline Application until such data is available.

4. FIRE RISK

This site is not suitable for a vast BESS. It is completely impossible to eliminate the risk of a battery system fire. The risk of a BESS fire is very real with potentially catastrophic consequences. There are many incidents to prove this. https://storagewiki.epri.com/index.php/BESS_Failure_Event_Database

If there is a fire it has to be left to burn itself out and there is a serious risk of it contaminating and polluting the countryside above and below ground. Fires can also reignite days or weeks after they are thought to be extinguished. There has been overwhelming concern voiced by the community in respect of this issue.

The Trust is highly sceptical of the Meteorological Report accompanying the application which appears to be flawed and written to downplay the very real risk of the impact of fire on the community. The receptors chosen are insufficient; for example there is no reference to Aragon being the nearest house at 390 m away and many other dwellings in Letchmore Heath are just a few metres further from that. The stated distances from the site are highly misleading. It is stated that the midpoint of the site from the Manor lies 354m distant. But a fire could occur at the northern end of the site which is much nearer at around 245 m from the Manor and the nearest bedrooms are 319m away; the Head of School's house at Aldenham School is 562 m away from the operational part of the site. Although there may be parts of the Aerodrome 1276m away the runway is around 670 m away. Hilfield Farm is 397 m not 957m away. This skews the resultant % figures in the report.

The Trust has concerns that important receptors have also been omitted ;for example from the southernmost part of the site on Hilfield Lane the dwelling at O'Malleys at 460m, Delrow with its vulnerable community at 500m and the new houses in Bushey at 548m are not mentioned.

The risk of fire and its impacts should not be minimised and needs to be addressed head on. Instead of trying to bring % figures of impact down to unlikely levels the reality is that these fires have a tendency to spread noxious clouds in a wide radius from point of ignition.

A BESS fire cannot be extinguished with water; water can only be used to cool the equipment resulting in millions of litres of contaminated water seeping into the water system. Despite the applicant's proposal for a small lagoon, a borehole and filtration system there can be no assurance that there will be adequate water to cool a fire of unknown proportions nor that the runoff proposals will prove adequate – failure in either respect would cause catastrophic consequences for our community.

It is well recognised that these Lithium-Ion batteries are at risk of thermal runaway fires and explosion. BESS fires to date demonstrate the danger and risks to health to nearby residents from the resulting toxic fumes if there is a thermal runaway fire and explosion. Lithium-ion fires release large amounts of Hydrogen Fluoride and Hydrogen Cyanide gases, both of which are highly toxic to humans and animals. Water and Hydrogen Fluoride gas combine together to form Hydrofluoric acid which is extremely corrosive and can dissolve concrete. This is not acceptable and the site is clearly inappropriate. There is a good reason why these BESS sites are located in the deserts of America and Australia, away from residential areas.

Whatever the probability of a fire the hazard can be very significant and on a statistical basis the more batteries there are the greater that risk will be. With 400 containers storing 1.5gw this proposal is larger than any currently existing in Europe. Indeed, despite the applicant's statement, the Trust can only find one operational BESS larger than this, in Monterey County, California and that is built on industrialised land next to a harbour.

The methodology for dealing with BESS fires is still at an early stage. As the National Fire Chiefs Council state "A number of high profile incidents have taken place and learning from these incidents continues to emerge."

In 2023 The National Fire Chiefs Council issued Grid Scale BESS Planning guidelines with the safety of the public and emergency responders in mind. These highlight that whilst Fire Rescue Services (FRSs) may be engaged throughout the planning process, this is not yet a statutory requirement and the guidelines state that " a number of high profile incidents have taken place and learning ..continues to emerge."

https://nfcc.org.uk/wp-content/uploads/2023/10/Grid-Scale-Battery-Energy-Storage-System-planning-Guidance-for-FRS.pdf

The 2023 guidelines state certain principles should be considered by Fire Services and that Information is required as early as possible from the developer to allow an initial appraisal of the BESS to be made. It is hard to see this can be effective when the applicant does not have details of the hardware to be used. Although the applicant has submitted an Outline Battery Safety Management plan as the hardware referred to in that is just for illustrative purposes it is not possible to say if there are insurmountable issues that cannot be conditioned.

Particular attention is drawn to the following requirements of the Fire Services guidance as to access and water:

"*Site access: Suitable facilities for safely accessing and egressing the site should be provided. to include: at least 2 separate access points to the site to account for opposite wind conditions/direction, roads to be of hard standing capable of accommodating fire service vehicles in all weather conditions and a perimeter road or roads with passing places suitable for fire service vehicles.*"

Although since the consultation the applicant may have made adjustments to internal road layout there is no 2nd access point proposed and it would be catastrophic if, in the event of fire, safe access for emergency responders was not possible.

The guidance also mandates "*provision of adequate water supply and firefighting infrastructure to allow safe and effective emergency response. As a minimum, it is recommended that hydrant supplies for boundary cooling purposes should be located close to BESS containers and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours. This should also take account of the ability of/anticipated time for the fire and rescue service to bring larger volumes of water to site (for example through the provision of High Volume Pumps). Any calculations for sufficient water supply for an appropriate suppression system need to be completed by a competent person considering the appropriate risk and duration of any fire. Water run-off and potential impact on the environment, along with mitigation measures, should be considered and detailed. Lack of sufficient water supplies at a particular site location should not be considered as the basis for a suppression system choice.*"

The lagoon referred to in the applicant's Project Overview is stated to have a capacity of 350,000 litres. This would give no margin over the mandated 1900 litres per minute for 2 hours plus potential drive time for the High Water Volume Pump belonging to Herts FRS. This is at Stevenage, 25 miles from the BESS site. At many times of the day the estimated drive time is 55 minutes,

vastly increasing the amount of onsite water requirement for initial cooling of the equipment and the level of subsequent run off. The guidance states that *"water supplies will depend on the size of the installation"* so that this bare minimum mandated by the guidance seems highly unlikely to be enough for a BESS of this vast size.

It is absolutely crucial to comprehend the effect of these 2 guidelines relative to the current proposal. Guidance mandates at least 2 access points and a minimum water supply of 332,500 litres taking account of drive time, as above, adjustable according to the size of the BESS. Yet the applicant proposes just 1 access road and a lagoon supply which barely meets the minimum criteria for a BESS that comprised just one or two containers.

The guidance also mandates a clearance barrier for combustible vegetation and that other vegetation *"should be kept in a condition such that they do not increase the risk of fire on site……areas with vegetation that would result in significant size fires should be factored in to this assessment and additional distance maintained"* This is completely at odds with and cannot be reconciled with much of the planting scheme proposed- the risks will rise as the vegetation matures- and is further evidence that siting the BESS in this location is an invitation to disaster.

It appears from the planning portal that only FRS Hydrants have been consulted on the application but in view of the guidance full consultation should take place by the Council with FRS itself over the issues of access, water supply and vegetation.

The prevailing wind direction for the area is south-west though this can easily switch to westerly or southerly. Bearing in mind the proximity of the BESS to built up areas there can be no good outcome in the event of fire and explosion whether toxic clouds are blown towards the Manor, Letchmore Heath, Aldenham School, Elstree Aerodrome, Patchetts Green and Round Bush or down over Bushey and the M1, the motorway lying approximately 300m from the operational part of the site. Evacuating the Manor safely in case of fire, particularly if this is during a festival or weekend, with the site access road right next to Dharam Marg could prove impossible.

The Trust has considered the applicant's Outline Battery Safety Plan but does not find any reassurance. It is fundamentally concerning that a development in this location could even be contemplated when a report needs to be made *"to*

reduce risk to life, property, and the environment from the BESS." (1.2.2) compounded by the reference at 3.1.3 *"that UK has limited guidance as to BESS."*

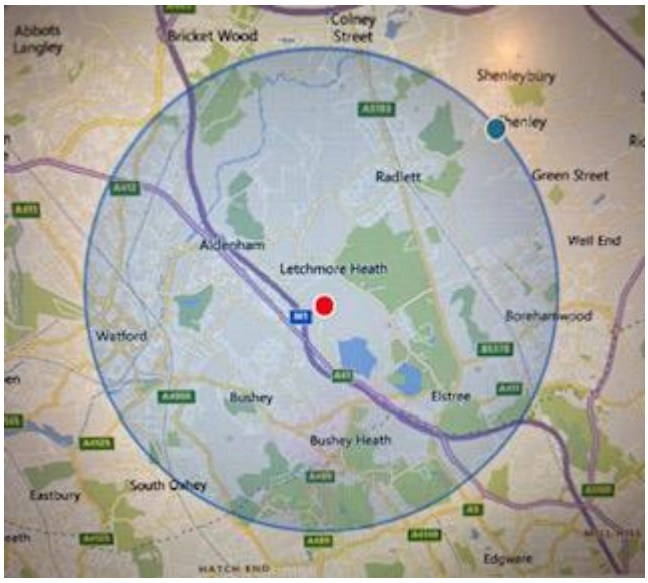
The report makes an assumption that LFP batteries will be used but of course this is simply illustrative. Further whilst it is stated that the applicant intends to ensure fire water run-off is contained and treated there seems to have been a vast under estimate as to the amount of contaminated water that could be involved here and it is doubtful that if a fire lasted for days, as they do, that containment could be achieved whatever system is utilised.

The Trust has read the report's conclusion *that "the result of the review demonstrates that receptor locations northeast and east of the site would have the highest likelihood to be affected by fire propagation and windblown smoke impacts. However, these receptors are beyond typically acceptable distances for proximity to BESS sites, as per the National Fire Chiefs Council's guidance"*

This seems to completely disregard what happens with a BESS fire in practice.

A BESS fire in Geelong Australia 30% of the size proposed here raged for 4 days and led to stay at home orders over a wide radius – see map below and subsequent map superimposing a smaller radius of locations that would be affected by a similar fire on the site proposed by the applicant.

GEELONG, MELBOURNE AUSTRALIA BESS FIRE- TOXIC PLUME SPREAD BETWEEN 3 ½ AND 5 ½ MILES FROM BESS



COMPARE THIS WITH THE PROPOSED LETCHMORE HEATH BESS-SHOWING AREAS WITHIN JUST A 3 MILE RADIUS FROM BESS SITE

It is unknown if the proposed Solar Plant will proceed but if it does contagion of fire from the BESS to the solar panels is a substantial added risk factor.

5. OTHER ENVIRONMENTAL ISSUES

A Source Protection Zone (Zone I - Inner Protection Zone) is located to the south of the proposed site. A known water well is also located around 130m to the north of the proposed site, which is used as a private water supply. It is noted that in seeking comments from Thames Water on the related screening opinion 23/1177 Thames Water referred the Council to Affinity Water for its view on the effects of the development on drinking water. This was not pursued and their views on this critical issue, in the event of seepage of run-off water following fire, must be obtained.

Although the Environmental Agency flood map shows the site to be at low risk from surface water flooding there is a medium risk of flooding with material areas of high risk along the entirety of the land immediately bordering the northern part of the site.

The Council's Supplementary Planning Guidance (SPG) shows that the west side of the site shares a boundary with the Wildlife Site at land by Elstree

Transmitting station (ref 84/030) - 7.6 hectares, precisely where the equipment is to be placed. It is also only 800 metres from the Wildlife Site at Hilfield Park Reservoir (ref 85/010) which at 75.74 hectares is by far the largest Wildlife Site in the Radlett/Aldenham area and is a site of national significance for birdlife. These sites will suffer undue disturbance, both during construction and subsequent operation of the development and particularly in case of fire. The SPG provides that these sites are of substantive importance for nature conservation and it is the Trust's view that they should be taken into account as a material consideration when determining the application.

The noise levels from the BESS will have an effect on the Manor's herd and its milk producing ability and as stated in the Ecology Report disturbances, such as loud noise, will adversely affect the badgers that commute across the site to nearby setts. There are also seven trees within the site identified to be suitable for roosting bats.

Policy SADM 18 relates to Minerals and is relevant due to the majority of the site falling within a Mineral Consultation Area. The policy requires that such areas are not sterilized for the future extraction of minerals. In the event of a fire and contamination with run-off water the development would sterilize the future potential minerals use of the site.

6. LOSS OF AGRICULTURAL LAND

At a time when national food security is a vital issue the development will result in a loss of a substantial area of productive agricultural land, grade 3a and 3b. Both the Green Belt statement and the Alternative Site Assessment refer to the land as being underutilised but this is not correct. Virtually the whole of the land has been farmed successfully for decades; it is understood that the tenant farmer was given notice to quit only earlier this year.

The Agricultural Land Classification report confirms that 27% is BMV grade 3a, 65% is Grade 3b and only 8% is non-agricultural. The applicant's Ecology Report (3.8 and 3.9) confirms the "site was dominated by arable fields which had recently been planted with a crop" and figure 7 of that report illustrates just that. Although the applicant states that the land which is grade 3a is not the area to be built upon, and will be used for screening, it will still be lost to agricultural production.

7. HERITAGE AND SETTING

The site shares a common boundary with The Manor, a large Grade II listed building standing within larger ornamental gardens and agricultural estate and which is partly within the Letchmore Heath Conservation area and fractionally within the Patchetts Green Conservation area.

PLAN SHOWING THE MANOR EDGED RED AND CONSERVATION AREAS PURPLE

The development would cause substantial harm to the setting of the Manor and is contrary to the Council's policy of the protection or enhancement of that building as stated in its SPD, "Bhaktivedanta Manor Letchmore Heath-Planning Brief 2012" Additionally The Hertsmere Local Plan and Core Strategy requires that any new development should not detract from the setting of the Listed Building whilst preserving or enhancing the character and appearance of the Conservation Area.

The statement within the LVIA that "the land within the site is considered to make a very minor contribution to the heritage significance of the Manor " is incorrect due to the open palisade fencing separating the sites with very little mature vegetation of any substantial height and the 3 principal first floor rooms which are shrines have full (not glimpsed) views over the site. Furthermore the LVIA assesses harm on the basis of a development height of just 3.2 m whereas other site structures will reach 6.5 m.

Letchmore Heath conservation area is actually adjacent to the site (not lying to the south east as stated in the LVIA.) A significant number of properties within

the village have Article 4 restrictions, or are Listed and locally listed buildings. The site also touches Patchetts Green and Delrow Conservation Area, again with many Listed and locally listed buildings. The proposal will adversely affect the character, appearance and setting of these Conservation areas and particularly, as regards Letchmore Heath, the property known as Aragon.

Insufficient regard has been paid to the setting of the views from part of Aldenham School at upper level which has clear views across the site.
In addition to the three Grade II listed buildings at this site, Beever's House and McGill's House are assessed as having local heritage value. Both buildings are largely unchanged from when they were first constructed between 1883 and 1899 and have group value with the designated heritage assets to the north-west. They are located at the junction of Aldenham Lane with Ward's Lane. Their tranquil, rural setting contributes positively to how they are experienced and the statement in the LVIA that Aldenham School straddles Aldenham Road does not detract from this.

The setting of Hilfield Castle, a Grade ll * which is on a steep elevated hill 745m from the site will be harmed by the development.

It also appears that measurements within the LVIA of certain buildings eg Aldenham school and Elstree Aerodrome are misleading – these are large sites and only distant points have been referenced.

8. SITE SELECTION

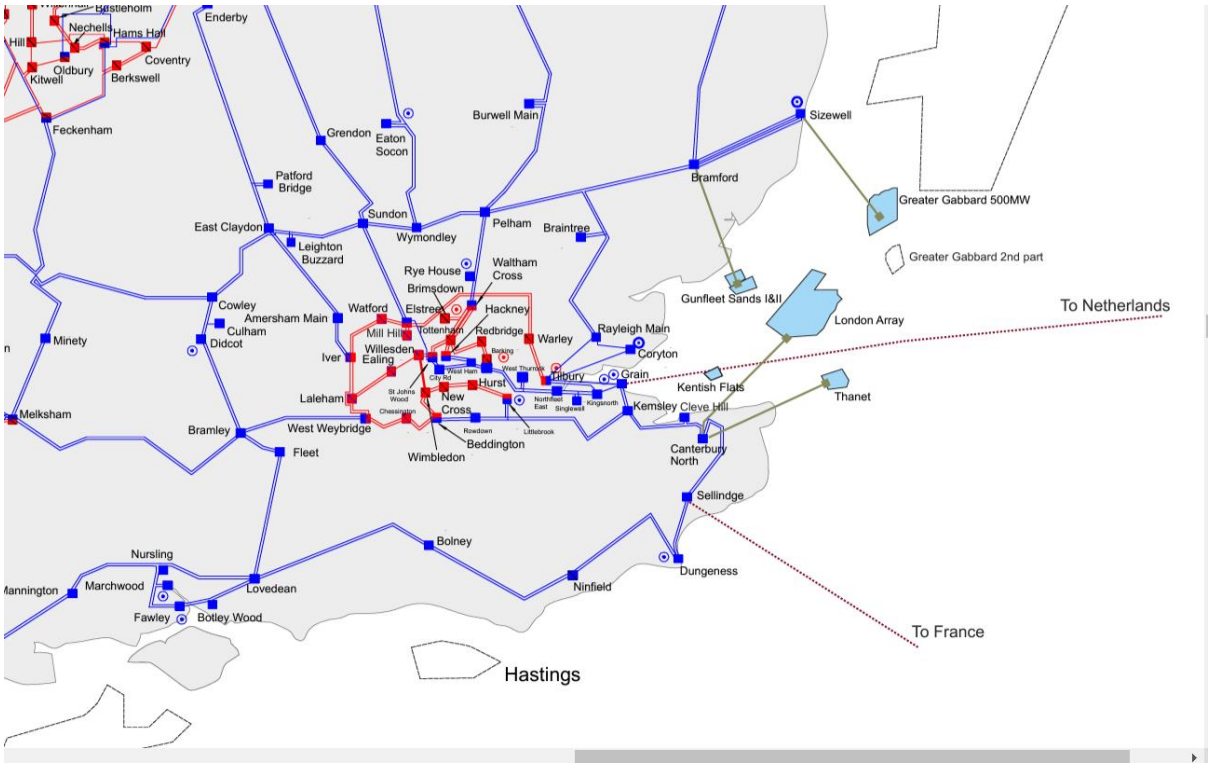
This proposal, at 1.5gw will sit between the 1st and 2nd largest BESSs worldwide known to us; the 3gw site at Monterey County California built on a disused gas station, adjacent to the Pacific Ocean, and the Trafford site at 1gw, permission for the latter was granted in July 2023, and to be built on the site of an old coal fired power station adjacent to the Manchester Ship Canal; accordingly both on heavily industrialised land next to a large natural water supply.

The Trust feels it is abundantly clear that this site is inappropriate for a BESS. Taking steps to prevent thermal runaway can reduce but never fully eliminate the potential of its occurrence. There is always a non-zero risk that a battery will enter thermal runaway, The FRS guidance states the developer should take account of the "*Impact on surrounding communities, buildings, and infrastructure* " A BESS, particularly of this size, is not appropriate in this location. At its presentation the developer stated that this "is the best site

within the M25" but when pressed could offer no explanation of the reason for being within the M25.

There is no need for the Bess to be within the M25 as stated in the Alternative Site Assessment (ASA) and so the parameters of the ASA are fundamentally flawed. Furthermore the applicant has confirmed to us that there is no spare capacity at the Elstree substation so that to facilitate the BESS an additional substation would need to be built. Other sites seem to have been dismissed by the applicant on this very basis (see cl 2.2.2 of the ASA)

The ASA's statement that "there are no alternative sites outside of the Green Belt that are suitable and available for the Proposed Development" is because they have minimised the site selection area. The map below is an extract from the NG network which shows major connection point alternatives to support London. Sundon already connects to Elstree and illustrates that the search has not been wide enough.



EXTRACT FROM NG NETWORK SHOWING MAJOR CONNECTION POINT ALTERNATIVES TO SUPPORT LONDON

The statement in the ASA that "Goal 2 of the Council's own 'Climate Change Action Plan' is to, '*Reduce reliance on fossil fuels and reduce emissions by*

increasing renewable energy capacity'. This is precisely what the proposed scheme will achieve and demonstrating a clear need for BESS" is incorrect as contradicted by the developer's own statement. The project is energy neutral as it will receive electricity from the grid from a variety of sources including fossil fuel.

However it is correct that "whilst BESS do not generate renewable energy per se, they are considered fundamentally supportive infrastructure in the provision of renewable energy" but this is because they are necessary for solar plants and wind farms ; it is only then that battery storage directly supports renewable energy projects. There is of course no correlation between the development and the" called in " solar plant as that would have its own small scale battery energy storage.

The statement at 3.2.3 that 22 substations located beyond the M25 boundary are at capacity and therefore unavailable is disingenuous as only 3 are mentioned – there are approximately 150 substations outside the M25 and Elstree itself is also currently at capacity .

In its application the applicant overstates the importance of the TEC registration which is a registration that is simple to effect and has actually caused issues for NG. This is explained by Centrica's Group Chief Officer as follows *""In recent years energy security has rightly moved up the agenda as countries look to secure supplies and drive the transition to net zero. That's why it defies belief that the queue for new, green energy connections is blocked by 'phantom' power projects. Not only do these 'developers' not have the money to develop, but many also don't even have planning permission or land rights – they're gambling that holding a space in the queue will make them rich," said Chris O'Shea, Centrica Group chief executive."*

https://www.current-news.co.uk/tec-register-now-filled-with-62gw-of-phantom-projects-says-centrica/

The applicant has not shown any finance or settled intention to develop the project and it is thought to be what is regarded as a shovel ready deal which will be sold on to a developer if planning is obtained.

The conclusion of the ASA at 4.1.4 states that the site "is not in a position where residential living conditions would be adversely affected and is not best and most versatile agricultural land." This Is clearly completely incorrect as demonstrated by our submissions.

9. SIZE AND SCALE

The size and scale of the proposed BESS is completely unsuited to be located on Green Belt land adjacent to our community. The nature of the development means that the noise will be intolerable and the fire risks multiply pro rata to size; the more batteries there are the higher the chance of a fire. It completely dwarfs installations of this type currently operating elsewhere in the UK. In fact at 1.5gw it will store fractionally under one half of the combined storage of the currently operating units in the whole of the UK which in July 2023 totalled 2.9 gw UK wide as reported by Modoenergy, an acknowledged leading research source in respect of BESS installations. As they report the average size of new BESS is 38 MW- but the median was just 24 MW. The proposal here is for a single BESS 39 times the average size and 62.5 times the median size.
https://modoenergy.com/research/battery-energy-storage-buildout-report-update-q2-2023

10.THE EFFECT THE SCHEME WILL HAVE ON NEIGHBOURING PROPERTIES

The whole community will be impacted by the scheme and this not ameliorated by the fact that the scheme is for 40 years (plus construction and decommissioning.) To many people this will endure for the rest of their lives and will have permanency.

The application does not indicate that any impact assessment has been carried out with regard to any of the differing categories of building and activity in the immediate vicinity and accordingly the Trust would draw attention to them as follows:

10.1 THE MANOR

The Trust is of the view that proximity of the proposal to The Manor is reason enough for the application to be rejected. The property is a nationally recognised Hindu shrine and temple and a highly important place of pilgrimage and the whole site of the Manor is a 'Dhāma' – a sanctified place in accordance with the religious tradition of Krishna Consciousness. Both during construction and in operation the development will undermine the spiritual experience of visitors to The Manor.

The Council's Planning Brief in respect of The Manor was adopted in December 2012 and recognises The Manor as a site of special religious significance. That now has the status of a Supplementary Planning Document.

The Council will be well aware of the activities carried out at The Manor, including but not limited to, a theological centre, temple and shrine, a Nursery school, an Ashram for resident monks and as a venue for Hindu weddings and conferences and a Goshalla for the care and protection of 66 cattle, sacred in the Hindu faith. As the Council's policy shows *"the status of Bhaktivedanta Manor and the Temple as a special religious place of national importance demands a high-quality environment for the many devotees and visitors to the Hindu temple and shrine."* That environmental requirement is impacted by what happens on the immediately surrounding land. Pursuant to SADM 32 the Council supports the protection and provision of places of worship.

The installation itself will be just 140 m from the nursery school, 196 m from the childrens' playground, 200 m from the Goshilla housing 66 cows which are intrinsically linked with the description Hertsmere gives to the Manor as a *"recognised site of special religious significance."* and 195 m from their grazing field.

MAP SHOWING PROXIMITY OF GOSHALLA AND GRAZING FIELD TO SITE

10.2.ALDENHAM SCHOOL

The development site is far too near Aldenham School, housing 850 pupils aged 4-18, 200 staff, including 160 boarding pupils and 90 resident staff and families who live on site. The BESS will be 440m metres from the pre-prep, 548 m from the Head's house, 548 m from the boarding houses and 630m from the school chapel. Other nearby schools include the 4-18 HABS boys and girls schools with a student body of 2700.

The Trust is concerned that all school communities in the vicinity will be impacted by noise and exposed to risk of fire. At their presentation the developers confirmed that no impact assessment has been carried out in relation to the proximity of their proposal on the nearby sizeable school population. The effect of noise on educational learning is well documented.

10.3 LETCHMORE HEATH PATCHETTS GREEN AND ROUNDBUSH

The conservation areas of Letchmore Heath, Patchetts Green and Round Bush will all suffer damage to their settings by the development, as well as the damage caused by increased noise levels and the risk of fire mentioned elsewhere.

A substantial amount of traffic will need to access the site during the construction period and this will have to pass through Patchetts Green causing huge disruption.

The applicant's comment that *"the local economy will be enhanced through the construction phase"* makes no sense – there are no "shops and services" of any significance.

Delrow, previously mentioned, supporting 50 resident adults with learning disabilities, at 500 m from the site lies within the Patchetts Green conservation area and will be very substantially impacted.

10.4 ELSTREE AERODROME

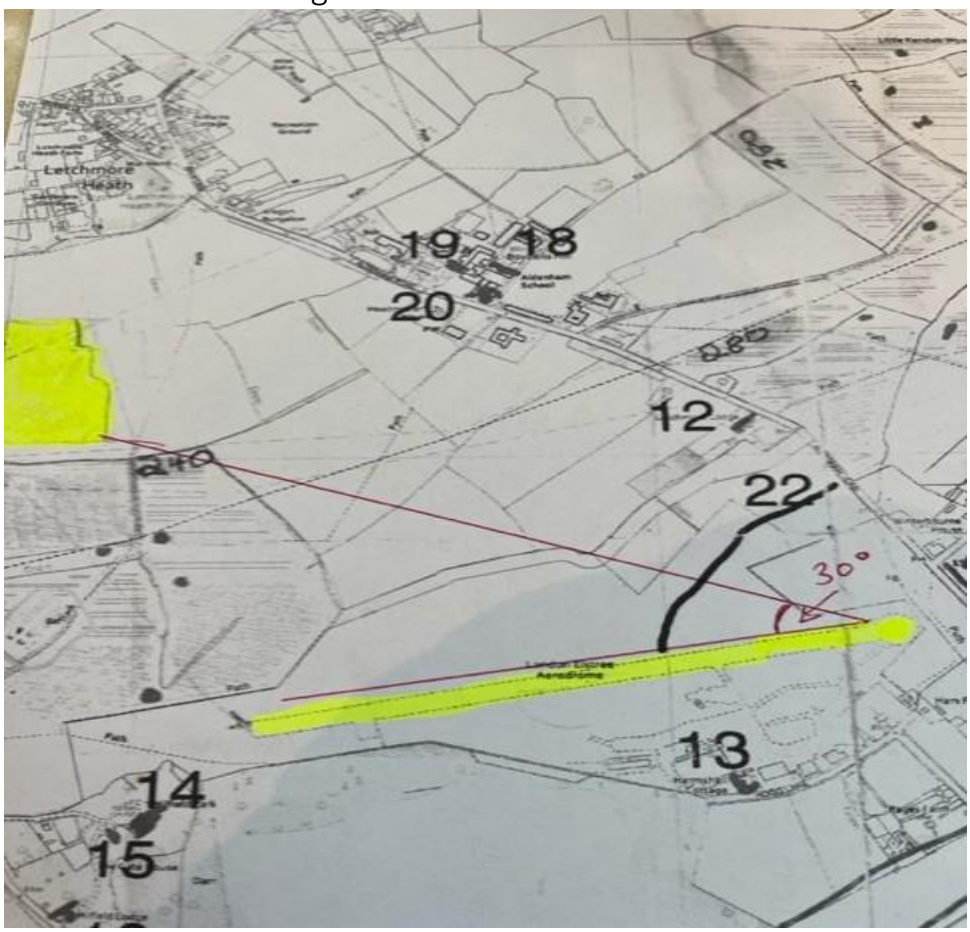
We understand that the Aerodrome was not consulted over the development and the applicant's Planning Statement stating that *"there is no reason to consider that the proposed development will have any adverse impact upon the Aerodrome"* is incorrect and highlights a worrying lack of due diligence as to the area that it is proposing to develop in.

The Civil Aviation Authority published a Guidance Note in July 2023.“ Renewable energy developments: solar photovoltaic developments-CAST Aerodrome Safeguarding” https://www.caa.co.uk/media/hlsmmmoj/cast-renewable-energy-developments-solar-july-2023.pdf

The nearest operational point of the BESS would be only 670 m from the runway and that guidance mandates multiple assessments by both the developer and aerodrome operator to be carried out, failing which *“should risk mitigation or agreement not be possible, the aerodrome operator should follow Local Planning Authority procedures and lodge an objection regarding the development under their statutory obligations.”* The issues are:

1 Engine failure after take off (EFATO)

There is no defined safeguarding area for an EFATO but an area extending 45 degrees either side of the runway is suggested; the proposed BESS falls well short of the at 30 degrees.



PLAN SHOWING 30 DEGREE ANGLE BETWEEN BESS AND RUNWAY

2 Physical safeguarding

Enhanced safety implications are needed where air traffic safety staff have comprehensive views over an aerodrome eg if the BESS affects visibility. Impacts to Instrument Flight Procedures could also be possible. The guidance calls for early liaison with the aerodrome over installations of height impacting these.

3 Effects to firefighting service

Developers in conjunction with the aerodrome operator should ensure surfaces and routes are provided for emergency vehicles as part of the site access arrangements especially if off-aerodrome.

4 Wildlife

The 'bio-diversity net gain' could lead to an increased number of birds and animals if the location and type of flora to be planted Is not considered carefully. A developer should have a plan in place and agreed with the aerodrome to routinely manage wildlife around the BESS.

5. Electromagnetic interference (EMI) effects upon CNS (Communication, Navigation & Surveillance) equipment.

The DC-power cabling and inverters used can create electromagnetic interference (EMI). Aerodrome operators should satisfy themselves that there is no risk of this affecting any part of their air traffic control equipment.

6. Aerodrome Operator Safety Assurance

The aerodrome operator should consider all the potential hazards posed by BESS to their aerodrome and within the aerodrome's physical and technical safeguarded areas, to ensure the safety of the overall operation. The developer should provide the aerodrome with a safety survey which should include impacts to CNS facilities up to a distance specified by the aerodrome (typically 6km), a wildlife hazard safety survey, and / or adequate technical and safety assurance documentation which addresses the above issues.

There is no evidence that the developer has undertaken any impact assessment on the proximity of the development to the Elstree Aerodrome- no report has been lodged with its application-nor that it has taken account of any of the advisories and stipulations set out in the guidance.

The proximity of the aerodrome is another reason why an outline application is not appropriate. Without details of the hardware to be installed it will not be

possible to assess *"interference with CNS equipment and meteorological equipment"* as required by the guidance.

The outcome of the "called in " Solar Plant application ref is still unknown but if dismissed on appeal that developer has lodged a further application 22/0948 which will take time to be determined. Success in either of these means that fields to the immediate north west of the runway will be covered in solar panels and development of the BESS will dangerously restrict a pilot's ability to crash land following engine failure after take-off.

11. CUMULATIVE IMPACTS

Cumulative impacts need to be considered under the planning regime and the applicant has indicated that it will do this in respect of the "called in " Solar Plant proposal should permission be granted for that. However this does not mean that consideration of cumulative impacts from other developments are not also required. The applicant has already disclosed that in order to accommodate the BESS a further substation will need to be built at Elstree (Elstree B) so that the development and the substation should be assessed together as "the project." A future substation extension is clearly at an early a stage but the NG have a range of permitted development rights. The development by the applicant, necessitating as it does a further substation, means that there should be an assessment of cumulative effects at this stage.

12. ROADWAYS AND ACCESS

The roadway proposed into the BESS off of Hilfeld Lane is wholly insufficient and will be dangerous. Hilfield Lane is a narrow country lane with no pedestrian pavement or dedicated cycle way. The speed limit where the access road is proposed to join Hilfield Lane is the National Speed limit i.e. 60mph.

Vehicular access to The Manor is from Dharam Marg. This is a purpose built private road which forms a T junction with Hifield Lane and is the sole vehicular access to the Manor. It was constructed in 1996 specifically to remove traffic from the centre of Letchmore Heath village. This road is heavily used by the Manor as shown by the visitor details set out in our comments relating to the Construction Traffic Management plan below.

Dharam Marg joins Hilfield Lane from the north west and is under 20 m from Sandy Lane which forms a T junction with Hilfield Lane from the south east. Sandy Lane itself at its other end forms a T-junction with the ever busy A41.

To site the BESS access road between Dharam Marg and Sandy Lane would be disastrous; the distances are just too close and give insufficient manoeuvrability for vehicles turning left into Hilfield Lane from Dharam Marg and Sandy Lane, particularly in times of emergency. Due to hardware on site at the National Grid it would not be possible to site the access road at an equidistant point between Dharam Marg and Sandy Lane – the only open land over which an access could be built abuts Dharam Marg, increasing its unsuitability. The picture below illustrates the position of Dharam Marg and the proposed BESS access off Hilfield Lane; they largely run parallel and in places are in extreme proximity to each other particular where they join Hilfiled Lane.

PICTURE SHOWING DHARAM MARG (WITH PILLARS) TO THE LEFT AND THE TRACK WHERE THE ACCESS ROAD WILL BE BUILT TO THE RIGHT BY STEEL GATE

PROPOSED ACCESS ROAD EDGED RED SHOWING DHARAM MARG IMMEDIATELY TO THE LEFT

In the event of fire or other emergency at the BESS, evacuation of the Manor and access for emergency responders would be unacceptably compromised by the extreme proximity of their respective accesses onto Hilfield Lane. The gravity of this is compounded by the fact that no separate access points to the BESS are proposed as set out in the NFCC guidelines.

Additionally the access to Dharam Marg from Hilfield Lane is through security gates that are not always open so there is also the possibility of several vehicles queuing off Hilfield Lane whilst arranging for gate opening via the intercom arrangement.

13. CONSTRUCTION MANAGEMENT PLAN

The Applicant's Construction Traffic Management Plan ('CTMP') seems to disregard many consequences of the proximity of the access road to Dharam

Marg which is a private gated roadway within the Manor's estate and exiting onto Hilfield Lane.

We have been told by the Manor that they have had no active engagement with the applicant and the report indicates a lack of awareness of the unique traffic arrangements pertaining to the Manor. Proposed construction on Saturdays will interfere with the large number of visitors to the Manor on a Saturday when they receive 1200 visitors in the summer months and 400 visitors in the winter months. Festival days bring crowds in their thousands and over Janmashtami this year 55,000 visitors were received over a 3 day period with very substantial traffic in the entire surrounding area including A roads; Diwali attracted 10,000 visitors in 1 day. In addition the Manor receives visits during term time from 20,000 schoolchildren annually. Those visits are around 5 hours each.

The CTPM states that " *Banksmen will be sited at the site access junction to assist the largest HGVs. HGVs will only be permitted to enter and exit the site when Hilfield Lane and the road serving Bhaktivedanta Manor is clear of other users"* but where will they wait at these times?

The statement in the CTMP that " *whilst recognising there will be occasions when the adjoining site attracts large number of visitors, this will not have an adverse impact upon the ability to access the application site"* suggests a lack of understanding of the impact of these huge visitor numbers.

Pedestrians using Hilfield Lane will also be compromised by the HGVs and despite the CTMP's proposal to put up signs stating *"please proceed with caution and keep to the footpath"* there is actually no footpath.

14. CONSULTATION

The Trust is concerned about the manner in which the consultation was conducted. The applicant approached the Trust late on 4 August stating that it wished to engage with the Trust in advance of a wider public consultation. Although the Trust responded within 3 working days, by then the applicant had already leafleted all residents rendering a pre consultation impossible. Accordingly the chance to discuss the important aspect of the consultation timetable was lost as the applicant had already set 15 September as the closing date. This meant that the consultation was carried out in the summer school holiday when many families were away. The Trust's request made on 9 August, repeated on 5 and 11 September, to extend that date till the end of September was ignored. The premature leafletting meant the Trust had no input into who

was notified. The Trust's view is that this type of application requires wide notification due to the very real fire risk posed and the distance that toxic clouds could travel. Accordingly the Trust has had to arrange several open evenings to bring the proposals to the attention of a wider range of residents.

In addition to those meetings the Trust arranged for the applicant to present its proposals to the residents of Letchmore Heath. The applicant was woefully unprepared and could not even answer basic technical questions raised by the audience of 80. This resulted in the Trust, at the applicants request, submitting 41 additional written questions to the applicant which elicited little further information.

Early on 13 September the applicant took down the consultation website – 3 working days before the closing date depriving many, including those just back from holiday, of access to information and the ability to comment on the proposal. Although the Trust circulated an email address for the applicant for comments to be made that would not have had the reach and information that the website had. Neither Elstree Aerodrome nor Delrow were consulted.

Since the consultation the Trust has met many times with the Manor. Despite the comments in the Statement of Community Involvement we have been informed that, there has been no engagement with the Manor other than an extant request for its traffic management plans, the applicant has not been on site, and although the applicants stated in answer to the Trust's questions that it attended on 7th September to observe traffic this was not done in conjunction with the Manor. Since then there have been no road closures in association with events despite the applicant's comment to the contrary.

We are aware that many of those from near and far who worship and make pilgrimage to the Manor tried to lodge comments on the website but the applicants seem to have regarded this as "an irregular level of activity" rather than a representation of real and justifiable concern and their views are not reflected in the report.

The report does not accurately reflect the paucity of information during the consultation period nor adequately explain the technical problems experienced by the consultees .The Trust's conclusion here is that the consultation was inadequate.

15. OTHER PLANNING MATTERS

The Trust believes that this application is wholly unsuited to be dealt with by way of outline only. A huge, highly technical industrial complex is proposed with permanent noise issues and risk of catastrophic fire. Yet the outline application contains no detail of the equipment that will be installed rendering it impossible to assess the noise impact and fire risk and in respect of noise making it impossible to know if it can be adequately conditioned; this is unacceptable. The Trust is well aware that there will be little community engagement over conditions imposed in any outline planning permission and feels strongly that the community will be prejudiced if an outline permission is granted without the chance to participate fully in matters that will affect their daily lives and safety.

16. LIABILITY

The application raises important aspects of liability. A BESS requires sophisticated insurance of the highest level. This cannot be monitored by the Council, it won't be known if its sufficient, whether terms are being complied with or the extent of cover for consequential loss. In view of the (inappropriate) siting of the development the Trust suggests that the applicant take on a voluntary monitorable applicant obligation to insure against noise impact, fire and contamination for third parties up to say £150M. It is important for the Council to be aware that BESS developments are very new to the UK, particularly of the size envisaged, and are developing in advance of full regulation and without full knowledge of their repercussions. The Trust was concerned to read a new report released by Firetrace International in September 2023 , which states that " BESS fire incidents have also had an impact on the insurance market. In its report, Firetrace presents evidence that the appetite to cover energy storage projects has declined, with some insurers even exiting the market. "*This has resulted in increased premiums, higher excesses, and difficulties in securing 100% cover. Addressing the fire risk of battery storage has thus become a focal point for owners, contractors, and operators,"* The Trust believes this should also be a focal point for the Council.

https://www.pv-magazine.com/2023/09/14/three-steps-to-reduce-battery-storage-fire-risk/

This proposal brings with it an unacceptable level of risk and in order to avoid significant harm Letchmore Heath Village Trust strongly urges the Council to reject this application.