

EN010122

### Summary of Representation from Cllr Amy Wheelton

- Additional BESS application
- Additional evidence found in two BESS application paperwork affecting the NSIP
- BayWa's financial difficulties and concerns on being able to implement management and DEMP

### Written Response

#### Point 1.

This is on a gate next door to the Drakelow BESS detailed below, last week the website stopped working when I published details, it is directly adjacent and behind the existing proposed Drakelow BESS, SDDC officers confirmed pre application talks have taken place. This adds further to the cumulative impact of the 6 local BESS.



## Point 2.A

Page 29 point 5.5.19 of the below BESS application planning statement shows evidence of Otters, crayfish and mussels in the area where the NSIP track/cable will be, the document is on the SDDC planning portal below. The NSIP paperwork on PINS does state Otter spraint but this confirms otter activity where the track and cable will cross the brook twice and surrounding area.

Otters are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017. It is an offence to:

- deliberately kill, injure, disturb or capture them
- damage or destroy their breeding sites and resting places - even if otters are not present
- possess, control or transport them (alive or dead)
- It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:
  - disturb otters while they occupy a structure or place used for shelter or protection
  - obstruct access to a place of shelter or protection

**The installation and operation of a 1.025 GW Energy Storage System (ESS), including energy storage units, substation, site access, cable connection, landscaping and ancillary infrastructure at Fairfield's Farm, Rosliston Road, Walton-on-Trent, Swadlincote, DE12 8LR**

The application may be viewed on our website at <https://planning.southderbyshire.gov.uk/dmapps.aspx/?ref=DMPA/2024/0789>.

It is noted in an objection to the above application from the tenant farmer that documented proof is available that peregrine falcons have nested in the pylon adjacent to the brook and species such as kingfishers, brown hares, Barn owls, deer, otters and other red-letter species are on site, this is the same site as the NSIP, as it abuts and is adjacent.

## Point 2.B.

The applicants Flood Risk and Drainage Assessment Report confirms sub aquifer presence in the area, it is also on Park Farm Ground where the track and cable are planned, page 6 point 1.5.2.

**Proposed Battery Energy Storage System with associated access, landscaping and ancillary works at land South of Walton Road, Drakelow. Land at South of Walton Road, Drakelow**

The application may be viewed on our website at <https://planning.southderbyshire.gov.uk/dmapps.aspx/?ref=DMPA/2023/1665>.

Recent appeals have been dismissed BESS where sub aquifers are present with water boreholes, no documents currently address this from the applicants.

**Appeal Decision by JP Longmuir 16/02/2024 Appeal Ref : APP/U1105/W/23/3319803 Pound Road BESS, Land North East of Axminster National Grid Sub Station, Pound Road, Hawkchurch, EX13 5XN**

Point 3.

Concerns are raised at the financial ability and stability of the applicants under the funding statement PINS document 4.2 where it is stated £88 million is the project cost. Based on the below recent Reuters article, a condition of planning permission should include the protection for the community of promised benefits, ongoing maintenance and remediation (DEMP) of the site which could include a performance bond, escrow account or similar to secure agreed obligations of this site including all battery safety/management, hedgerow, ditch and Suds/drainage works, including reinstatement of all land drains to ensure the BMV land is reinstated as BMV land.

### Agricultural trader BayWa's stock dives on 'tense financing situation'

By [REDACTED]  
July 15, 2024 9:30 AM GMT+1

July 15 (Reuters) BayWa shares fell by as much as 35% on Monday after the diversified German trading group commissioned an external inquiry into whether it can restructure its finances.

The shares were down 34.9% at 0739 GMT, on course for their worst day yet. They also hit the bottom of the German small-caps index and so far this year have fallen by 52.78%.

The Munich-based trader of farming supplies and produce, which has been grappling with rising borrowing costs, late on Friday referred to its "tense financing situation" and said it needed restructuring.

According to the quarterly report, released on May 8, the group had long-term bank debts of 3.1 billion euros (\$3.38 billion) at the end of March, plus short-term liabilities of almost 2.5 billion.

Last year BayWa said, it planned to sell its solar business.

The European renewable energy sector is under pressure from overcapacity in solar modules and from low-price Chinese competitors.

A restructuring report is usually required by creditors and is the prerequisite for them to grant further loans or to extend them.

<https://www.reuters.com/business/agricultural-trader-baywa-warns-tense-financing-situation-shares-drop-2024-07-15/>