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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

**MONDAY 23RD JUNE 2025, AT 6.00 P.M.**

**PARKSIDE SUITE - PARKSIDE**

### **UPDATE REPORTS**

The attached papers were specified as "to follow" on the Agenda previously distributed relating to the above mentioned meeting.

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting) (Pages 3 - 10)

J. Leach  
**Chief Executive**

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23rd June 2025

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## Bromsgrove District Council Planning Committee

### Committee Updates 23 June 2025

#### **25/00529/S73 Land at Whitford Road, Bromsgrove**

Additional comments received from The Bromsgrove Society 18 June 2025

Members are encouraged to read the full version of this representation via Public Access.

- The Bromsgrove Society conducted Fox Lane queue length surveys during the morning peak period on Wednesday 11 June 2025 and Wednesday 18 June 2025.
- On both dates the rear of the traffic queue was photographed at 5 minute intervals between 7:55am and 9:10am. The measurement tool in Google Maps was used to determine the length of the queue recorded in each photograph.
- The purpose of the surveys was to determine if the queue lengths observed by the applicant on 11 September 2024 approximate to current queue lengths.

#### **Conclusion**

- The length of the queues observed in May 2015 by BDC's expert witness to the first Whitford Road planning inquiry and the queues observed by The Bromsgrove Society on 11 and 18 June 2025 can be regarded as being representative of those typically experienced by the local community over the past decade.
- The reduced level of queuing in Fox Lane observed by the Applicant on 11 September 2024 can most likely be attributed to drivers taking note of the Traffic Bromsgrove bulletin of 8th September 2024 advising the local community of temporary traffic lights in Fox Lane and choosing an alternative route or shifting to an active travel mode on that day.
- Consequently, in order to make an appropriate and safe evidence based decision, it appears to The Bromsgrove Society that Decision Makers must rely on the WCC consultation response dated 2 October 2024, this being their most recent opinion of the impact of varying Condition 25 based upon their own May 2017 traffic survey data.
- The final paragraph of the 2 October 2024 WCC consultation response states;
- ***“The Highway Authority has undertaken a robust assessment of the application. Based on analysis of the information provided, the Highway Authority advises the application is REFUSED on the grounds that the residual cumulative impacts of the development on the road network would be SEVERE contrary to paragraph 115 of the National Planning Policy Framework (December 2023) (Bromsgrove Society emphasis)***
- It should be noted that the equivalent paragraph is now numbered as being 116 in the December 2024 update of the National Planning Policy Framework.

#### **24/00960/FUL Land off Illey Lane, Hunnington**

The Local Planning Authority has been copied into a letter dated 22 June 2025, which is a request to the Secretary of State (SoS) for an EIA Screening Direction under Regulation 5(6) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

A copy of this letter is included as Appendix A attached to this update.

Your Officers have taken advice from the Council's legal team. The legal advice is that it would be sensible to await the outcome of this further EIA Screening Opinion request before planning application 24/00960/FUL is determined.

Officers will therefore be recommending to Planning Committee that this item is deferred from Planning Committee on Monday 23 June until the next available Planning Committee meeting

# Agenda Item 4

following the issuing of an EIA Screening Direction by the Secretary of State in respect of planning application 24/00960/FUL for the installation of a 60-container Battery Energy Storage System (BESS) and associated infrastructure at Illey Lane, Hunnington.

**Revised Recommendation:**

That agenda item 6 is deferred from the Planning Committee meeting on Monday 23 June until the next available Planning Committee meeting following the issuing of an EIA Screening Direction by the Secretary of State in respect of planning application 24/00960/FUL for the installation of a 60-container Battery Energy Storage System (BESS) and associated infrastructure at Illey Lane, Hunnington.

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## Appendix A

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### **Councillor Karen May**

Leader, Bromsgrove District Council

### **Councillor Simon Nock**

Bromsgrove District Council

Please reply to: [k.may@bromsgrove.gov.uk](mailto:k.may@bromsgrove.gov.uk) / [s.nock@bromsgrove.gov.uk](mailto:s.nock@bromsgrove.gov.uk)

**22 June 2025**

### **Secretary of State for Housing**

c/o Planning Casework Unit (PCU)

4th Floor, 23 Stephenson Street

Birmingham B2 4BH

Via email: [pcu@levellingup.gov.uk](mailto:pcu@levellingup.gov.uk)

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Dear Sir/Madam,

### **Request for EIA Screening Direction under Regulation 5(6) – Planning Application 24/00960/FUL, Grenergy BESS, Illey Lane, Hunnington**

We write jointly as elected members of Bromsgrove District Council to request that the Secretary of State issue a Screening Direction under **Regulation 5(6)** of the **Town and Country Planning (Environmental Impact Assessment) Regulations 2017** ("the EIA Regulations") in respect of **Planning Application 24/00960/FUL**, submitted by **Grenergy**, for the installation of a **60-container Battery Energy Storage System (BESS)** and associated infrastructure on designated **Green Belt land** at Illey Lane, Hunnington.

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### **1. Statutory Trigger Under EIA Regulations – Schedule 2, Category 3(a)**

The proposal clearly falls under **Schedule 2, Category 3(a)** of the EIA Regulations, pertaining to "industrial installations for the production of electricity, steam and hot water." The site exceeds the 0.5-hectare threshold, and given the nature, scale, and sensitivity of the location, **a formal screening assessment is legally required.**

Further, Schedule 3 of the Regulations outlines **selection criteria** for determining whether Schedule 2 developments should be subject to EIA. These criteria include:

- **Characteristics of the development** (e.g. size, use of hazardous substances, risk of accident or pollution)
- **Location of the development** (e.g. relative to Green Belt, sensitive habitats, proximity to residential or rural communities)
- **Characteristics of potential impact**, including magnitude, complexity, and likelihood of cumulative impact

We think the Greenergy application meets these thresholds and should be screened accordingly.

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## 2. Cumulative Impacts of BESS Clustering – Legal and Practical Context

The Greenergy proposal is not occurring in isolation. It is **one of three adjacent BESS schemes** within a short radius, all of which are directed toward the same electrical infrastructure node. The other two developments, both recently granted consent at appeal, are as follows:

Site	Reference	Developer	Outcome
Illeybrook Farm (Lowlands Farm), APP/C4615/W/24/3345744 Illey Lane		Net Zero Eleven Ltd	112-container BESS approved on appeal, 40-year operational lifespan
Field at Illey Lane	P23/0940	Unknown	Approved at appeal (2 February 2024)

All three proposals are clustered within the **same grid connection area**, believed to be the **Bishop's Wood Grid Supply Point (GSP)**. This substation, part of the National Grid's 132 kV infrastructure, is not designed for high-density BESS deployment without broader network reinforcement and consideration of environmental and cumulative effects.

The environmental and construction impact of this **clustered industrialisation of the Green Belt**, through energy storage containers, substations, cabling and fencing, presents a radically different scenario than evaluating each site independently. Taken together, these developments will:

- Significantly alter the **rural landscape character**
- Increase **traffic and noise** during prolonged construction
- Involve **multiple high-voltage cable trenches** disrupting road networks, hedgerows, and habitats
- Require **extensive engineering works** not accounted for in any individual application
- Introduce **fire, explosion, and water contamination risks** from lithium-ion systems in close proximity to each other

### 3. Legal Precedent: Ashchurch Parish Council v Tewkesbury BC [2023] EWCA Civ 101

This situation is closely analogous to the Court of Appeal decision in **Ashchurch Parish Council v Tewkesbury Borough Council**, which found that splitting related components of a larger development (in that case, a road bridge and associated housing) into separate planning assessments to avoid triggering EIA was unlawful.

Lady Justice Andrews held that the objectives of the EIA Directive “cannot be circumvented by dividing what is in reality a single project into separate parts.” The Court stated that **cumulative effects of all phases and interdependent developments** must be considered at the screening stage, or else the EIA system is rendered ineffective.

Failure to assess the cumulative impact of the **three Illey Lane BESS schemes** – each individually significant, collectively transformative – is in direct conflict with this legal authority.

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### 4. National and Regional Oversupply of BESS Capacity

The environmental necessity of yet another BESS project should also be questioned in the context of **documented national and regional oversupply** of energy storage projects.

According to the latest (April–June 2025) **Renewable Energy Planning Database (REPD)** data:

#### UK-Wide:

- Deliverable BESS capacity: **49.66 GW**
- Pending applications: **51.26 GW**
- **Total known pipeline: 98.36 GW**

#### Government BESS targets under the Government’s Clean Power Action Plan 2030 state:

- 2030 BESS Capacity required: **27.1 GW**
- 2035 BESS Capacity required: **28.7 GW**

The Deliverable total already exceeds the 2030 and 2035 targets by **183%** and **173%** respectively. The total pipeline is **372%** of the 2030 target.

#### Midlands Region:

- Deliverable BESS Capacity: **6.269 GW**
- Pending BESS Capacity: **9.18 GW**
- Pipeline BESS Capacity: **15.449 GW**

#### Government’s Midlands Regional targets (applying to Hunnington Site):

- 2030: **4.3 GW**
- 2035: **4.9 GW**

The regional pipeline now stands at **359% of the 2030 target** and **315% of the 2035 target**. These figures demonstrate that the strategic need for additional BESS developments in this location is highly questionable, and certainly not of a scale to override rigorous environmental scrutiny. No mention of these targets has been made in the applicant's submitted documentation or the officer report to the planning committee. We think a formal EIA process would ensure that this important data on significant BESS oversupply in the Energy Infrastructure industry would ensure that this Data is properly examined and put before the Planning Committee before a decision is made.

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## 5. Cable Infrastructure and Missing Assessment of Engineering Disruption

A further crucial omission from both the Greenergy application and officer report is the **lack of assessment of the necessary high-voltage cable works**. All three Illey Lane BESS schemes will require underground cabling to connect to the Bishop's Wood substation.

These cable routes will likely involve:

- Excavation through fields, roads, and hedgerows
- Potential crossing of watercourses and drainage systems
- Disruption to public rights of way and highways
- Visual and ecological impact during construction

None of these impacts are captured in any of the planning documents for 24/00960/FUL, nor is there any cumulative assessment of how three simultaneous or overlapping cabling projects might affect the local area. This is an unacceptable omission under the **Schedule 3 criteria** and the **NPPG EIA guidance** which emphasises the need to assess all elements of a project that could have significant environmental effects.

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## 6. Public Safety and National Fire Chiefs Council Guidance

The **October 2023 National Fire Chiefs Council guidance** on grid-scale BESS planning highlights serious fire and explosion risks associated with lithium-ion batteries. It emphasises the need for:

- Adequate spacing between BESS units
- Multiple access routes for emergency services
- Onsite water or foam suppression
- Risk-based location planning

There is no evidence that the Greenergy proposal has considered or met these guidelines. Nor is there any cumulative fire risk modelling that considers how multiple nearby BESS sites could escalate an incident.

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## Conclusion and Request

We respectfully submit that the proposed Greenergy development (24/00960/FUL) constitutes **EIA development** under the 2017 Regulations due to:

- Its classification under Schedule 2 (3a)
- Its environmentally sensitive Green Belt location
- Its scale, duration, and operational intensity
- The existence of **two adjacent approved BESS schemes** with shared infrastructure and grid connection
- Unassessed cumulative and infrastructural impacts
- Overarching public safety and national policy implications

We therefore request that the Secretary of State exercise powers under **Regulation 5(6)** to issue a **Screening Direction** requiring Bromsgrove District Council to conduct a **formal Environmental Impact Assessment** before any determination is made on application 24/00960/FUL.

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**Yours sincerely,**  
**Councillor Karen May**  
Leader, Bromsgrove District Council

**Councillor Simon Nock**  
Bromsgrove District Council

cc: Paul Lester – Senior Planning Officer – [paul.lester@bromsgroveandredditch.gov.uk](mailto:paul.lester@bromsgroveandredditch.gov.uk)

Ruth Bamford – Head of Planning

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