

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

THURSDAY 9TH OCTOBER 2025, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, J. Clarke, D. J. A. Forsythe, E. M. S. Gray, B. McEldowney, S. T. Nock, S. R. Peters and J. Robinson

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr. M. Howarth (Anthony Collins Solicitors) Mr. P. Lester and Mrs. S. Williams and Mrs. J. Gresham

37/25

TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillor S. J. Baxter and Councillor R. E. Lambert with Councillor B. McEldowney and Councillor S. T. Nock as named substitute respectively. Councillor J. D. Stanley also submitted his apologies for this meeting.

38/25

DECLARATIONS OF INTEREST

Councillor A. Bailes declared an Other Disclosable Interest in relation to Agenda Item 5 (Minute Number 41/25) 24/00960/FUL - Proposed Battery Energy Storage System (BESS) and associated infrastructure, Land off Illey Lane Hunnington - in his capacity as an Authority Member on the Hereford and Worcester Fire and Rescue Service (HWFR) Board.

Councillor A. Bailes stated that he would determine the application with an open mind and remained in the meeting room for the duration of the debate and took part in the vote thereon.

39/25

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETINGS OF THE PLANNING COMMITTEE HELD ON 29TH JULY AND 7TH AUGUST 2025

The minutes of the Planning Committee meetings held on 7th July and 29th July 2025 were submitted for Members' consideration.

During consideration of this item, Councillor S. Nock commented - that he felt it was important to include details of the public speakers comments within the minutes. He stated that the inclusion of these

comments might be useful to provide context in instances when a Planning application was subject to an appeal or Judicial Review in the future.

The Legal Advisor to the Council's Planning Committee read out the following statement in response to this query. The statement read as follows:

"The minutes of Planning Committee meetings are produced in accordance with professional minute writing standards. Traditionally, detailed information has not been included in minutes of Planning Committee meetings relating to contributions made during public speaking as no new information should be introduced at this stage and all contributions should already be in the public domain to view on the planning portal on the Council's website. However, it is proposed that during the forthcoming PAS (Planning Advisory Service) review of the Planning Committee, this matter should be raised so that arrangements at the Council can reflect the most up to date advice on best practice."

RESOLVED that the minutes of the Planning Committee meetings held on 7th July and 29th July 2025, be approved as a true and accurate records.

40/25

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)

The Chairman announced that a Committee Update had been circulated to Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

Members indicated that they had had sufficient time to read the contents of the Committee Update and were happy to proceed.

41/25

24/00960/FUL - PROPOSED BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE, LAND OFF ILLEY LANE HUNNINGTON

Prior to the consideration of this item. Councillor S. Nock stated that he was registered to speak on this application and requested clarification as to whether he needed to leave the meeting room during the presentation and public speaking on this application as this was the advice he had received from the Council's Principal Solicitor – Governance earlier that day.

[At this point in the meeting there was a brief adjournment from 18:09 to 18:12].

Having reconvened, the Legal Advisor to the Planning Committee at the meeting stated that he felt it appropriate that Councillor S. Nock remained in the public gallery during consideration of the application and whilst the public speakers addressed the Committee Members. Once he had spoken on this matter, Councillor S. Nock would be required to leave the meeting room and take no part in the debate nor the vote thereon.

Officers reminded Members that this application had been deferred at the meeting of the Planning Committee held on 29th July 2025. The deferment had been requested by Members in order to address the comments raised by Hereford and Worcestershire Fire and Rescue Service (HWFS).

Since then, discussions had taken place between the local Planning Authority (Bromsgrove District Council), HWFS and the applicant. This had resulted in the updated application as presented to the Planning Committee at this meeting.

A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

The application site was located in approximately 3.88 hectares of land which comprised of agricultural land, which could be considered rural. Of the 3.88 hectares of the application site, 1 hectare was allocated to the developable site area.

Officers drew Members' attention to page 92 of the main agenda pack which detailed the proposed layout, supported infrastructure, security fencing and landscaping works. The layout had been amended following discussions with HWFS and now proposed three separate access points to the battery compound and two into the substation. It was noted that a sufficient number of passing points had now been incorporated into the layout of the site.

Access to the site was from an existing access point on Illey Lane, which would be upgraded as required to provide suitable access. The compound site would be fenced and an appropriate landscape scheme implemented. The remaining area around the perimeter would be utilised

for further planting to include woodland hedgerows, trees, grassland and wildflower planting.

The proposed development had a time limit of thirty-five years. After which time all the infrastructure would be removed from the site.

The Point of Connection for the site would be at the Kitwell Substation, located approximately 2 kilometres east from the application site on Kitwell Lane.

Officers noted it was important and necessary to deliver improvements to energy infrastructure and management for the future. It was also important to ensure that the necessary infrastructure was in place to support the management of the National Electricity Grid.

It was reported that the application was in line with the principal policies of the Bromsgrove District Plan (BDP) and in line with National Planning Policy Framework (NPPF) in that it supported the transition to low carbon options, improved future energy resilience and renewable energy infrastructure.

Officers noted that the application site was within the Green Belt. It was important to establish whether the proposal consisted of inappropriate development in the Green Belt for the purposes of BDP and the BDP4 framework. Officers highlighted that paragraph 153 of the framework stated that inappropriate development was by definition harmful to the Green Belt and should only be approved in very special circumstances. In paragraph 154 of BDP4 framework there were exemptions when development might be acceptable in the Green Belt, however further exemptions had been included since the framework was amended in December 2024 in particular paragraph 155 regarding Grey Belt. Members' attention was drawn to sections 11.7 to 11.39 of the officers report which contained a detailed assessment as to whether the site was Grey Belt rather than Green Belt. Overall, the proposal did not strongly contribute to the three Green Belt purposes required to be considered in a Grey Belt assessment. The relevant criteria contained in paragraph 155 were met and therefore the development was not considered inappropriate within the Green Belt. For robustness and completeness an assessment regarding Green Belt matters had also been undertaken.

Officers informed the Committee that the Highways Agency had been consulted with and did not object, subject to the conditions included in the report and considered there would not be an unacceptable impact on highway safety or severe impact on the road network.

In terms of archaeological matters, it was reported that the site was located in close proximity to a number of heritage assets. However, the application was subject to an Historic Environment Desk Based Assessment (HEDA) and had also been assessed by the Council's Conservation Officers. Both had concurred that there would be a degree of less than substantial harm to the significance and setting of the Grade II Oatenfields Farmhouse through the proposed development.

Flooding had been raised by members of the public, along with the leakage of chemicals. However, North Worcestershire Water Management (NWWM) had been consulted and had raised no objections. However, a number of pre-commencement planning conditions had been made in respect of a detailed surface water drainage scheme and Construction Surface Water Management Plan.

In the event of a fire, water used to treat this facility would be fully contained in that surface water would drain through the internal drainage basin into the attenuation basin on site. This basin would be lined in order to prevent any leeching into the ground. Overall, the drainage matters were deemed to be acceptable.

The Biodiversity Metric report had been updated to reflect the changes to the proposal and in doing so the Biodiversity Net Gains (BNG) would be delivered by the development. Comments had been received regarding whether it was appropriate to include the Sustainable Urban Drainage System as part of the BNG calculations. It was considered primary use was a Sustainable Urban Drainage System (SUDs) was acceptable, in the unlikely event of a fire, which could result in an impact on the on-site habitats, this would be addressed as part of the ongoing habitat monitoring required under BNG. The developer must maintain significant on-site habitats that they created or enhanced for a minimum of thirty years. These habitats would be subject to a monitoring schedule that ensured they achieved the target condition and distinctiveness that was stated in the Biodiversity Metric report.

Further detail was provided in respect of the changes to fire safety aspects following discussions with the HWFS. There had been numerous objections raised regarding fire risk at this application site, which included water contamination and emergency access. The applicants were advised to consider the guidance available from the National Fire Chief's Council (NFCC). This guidance highlighted 12 key areas of fire safety in BESS developments. Due to the large number of concerns raised on the matter of fire safety the application had been

deferred in July 2025. However, since then, key issues including the fire safety plan, had been addressed by the applicant to the satisfaction of HWFS subject to the conditions outlined within the officers report.

It was reported that the revised fire water management plan exceeded the NFCC guidance minimum requirements and that two hydrants were proposed as part of the development. Furthermore, HWFS were satisfied with the turning space within the location along with the updated access arrangements. In terms of the container separation, the layout of the site complied with updated guidance which was considered to supersede the NFCC guidance regarding 6m separation. No specific modelling had been required regarding explosions and vapour cloud risk due to the distance to nearby properties.

The Emergency Response Plan was to be agreed pre-operation via a planning condition that dealt with hazard information procedures, environmental investigation training and communications protocols. In terms of contaminated water management, fire water containment system to be lined and isolated from the SUDs and along with a full drainage and disposal plan required by condition.

Subject to the conditions outlined in their consultation comments, HWFS were satisfied with the revised proposals as discussed with the applicant and now agreed. Ultimately there was no compelling evidence that the site posed an unacceptable fire risk.

Therefore, it was considered that the proposal was acceptable in principle and held significant weight in the contribution to mitigating climate change, and energy security, the potential for biodiversity net gains and landscape enhancements and economic benefits. Which were all deemed to outweigh the temporary moderate adverse visual impact effects and less substantial harm to heritage assets.

At the invitation of the Chairman, Mr. A. Perry, speaking on behalf of local residents in objection to the application, addressed the Committee.

Mr. G. Thorpe, the Planning Agent for Greenergy Renewables UK Ltd, addressed the Committee on behalf of the applicant.

Mr. I. McGregor addressed the Committee on behalf of Hunnington Parish Council, who had objected to the application.

Councillor S. Nock, Ward Member also addressed the Committee.

During consideration of the application, Members raised several questions. These were as follows:

- Would there be a fire alarm warning system available on site, should a fire break out? – Officers confirmed that this would be included as part of the planning conditions. Specifically, condition 28 which dealt with an emergency response plan.
- Whether the site was, in fact, located on Green or Grey Belt land? – Members were reminded that there were five purposes of Green belt. Three needed to be evaluated in order to assess Grey Belt. The purposes applicable for this proposal were as follows:
 - a) Purpose a – Sprawl
 - b) Purpose b – Merging
 - c) Purpose d - To preserve the setting and special character of historic towns.

The purposes of the Green Belt, as detailed above, did not apply to this proposal and therefore the proposal site had been considered Grey Belt by Officers when applying the criterion and therefore not inappropriate development. However, if Members were of the opinion that the site was in the Green Belt there would still be grounds for granting planning permission under Very Special Circumstances as it satisfied the Government's Renewable Energy Strategy, therefore making it a material planning consideration.

- Location of access points within the site – Officers explained that there were two access points within the site to the battery storage areas. However, there was one access point to the whole compound which HWFS were satisfied with providing there was enough access and room for movement for fire vehicles within the site if necessary.
- Public safety within the proposed site – Members stated that they were disappointed that the public safety requirements would be satisfied by conditions rather than being an integral part of the application. Particularly as this application had been deferred previously predominantly due to the areas of concern highlighted by the HWFS. Furthermore, it was noted that some of the conditions i.e. the approval of the fire safety precaution statement, detailed layout and emergency response plan lay with HWFS. This seemed an unsatisfactory outcome as it may result in the Local Planning Authority approving the application only for the HWFS to veto if it was not satisfied with the plans included in the conditions as detailed above. Officers addressed Members concerns regarding this matter further and explained that there

were four conditions in total regarding fire safety and two of which read as follows:

- *Approval by the local planning authority **'in consultation'** with the fire and rescue service*

The two further conditions read as follows:

- *The local planning authority **and** the fire and rescue service*

If Members were concerned about the responsibility of the Fire Service in this matter and to be consistent then all conditions could read:

- *Approval by the local planning authority **'in consultation'** with the fire and rescue service*

However, Members were reminded that the Local Planning Authority was a public authority and if not happy with the HWFS response, it would be acting unreasonably to discharge the condition without being completely satisfied and the development would not be implemented. It was noted that the Fire Service were experts in the matter of fire safety and the reason their opinion was sought in these matters, however the Local Planning Authority were still responsible for discharging the conditions only when they had been met satisfactorily.

Officers commented that these kinds of conditions were not unusual for these types of applications, as these specific types of plans were not able to be confirmed or agreed at the application stage. It was noted that the technology used within Battery Energy Storage System (BESS) evolved quickly and any information submitted at the application stage may be superseded quickly as a result. Ultimately, the Local Planning Authority, the Fire Service and the applicant had discussed the conditions highlighted by Members and all parties were satisfied with the conditions, which would ensure that the relevant parties were satisfied with the technical information available at the appropriate time.

- The reliance on electricity generation storage – Members were concerned of the resilience in using this type of energy and that there have been several instances recently internationally when the National Grid had failed.

- Monitoring of the conditions – Members requested assurance from Officers that the conditions contained within the application would be monitored effectively to ensure that they were implemented effectively and required no alterations. Officers reported that as detailed earlier in the meeting the applicant had agreed to the wording within the conditions in respect of the fire safety issues previously highlighted and if the wording within these conditions were changed or not satisfied then the application would come back to the Planning Committee for further consideration.
- Container Separation Distances – The final response from HWFS (dated 1st October 2025) was queried in respect of the container separation distances information provided to them. It was noted by Members that there had been no fire modelling provided to HWFS, however they had no further comments on this matter. Members questioned whether HWFS had been challenged regarding the lack of response in this matter. Officers explained that the suggested separation distance between containers be 6 metres as detailed in the guidance. However, if the separation distances should be reduced clear evidence would be needed to be produced by the applicant regarding the proposed distances. The Fire Service was a non-statutory consultee and the applicant should follow the NFCC guidance and wherever possible the applicant should comply with this guidance. It was noted by Officers that although guidance as available included within it was the statement “Every BESS installation will be different, and Fire and Rescue services should not limit themselves to the content of this guidance.”
There were also queries regarding the layout of the containers within the storage unit. It was explained that the layout currently was within the 6 metre margins, as detailed in the guidance and that two battery containers could count as one unit due to their size.
- Biodiversity Net Gain (BNG) – Members requested clarification on the impact the extra access within the site had on BNG. It was reported that there had been some impact, however the BNG still provided in excess of the 10 per cent required by a major planning application.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 77 - 85 of the main agenda pack.

[At this point in the meeting there was a brief adjournment from 19:47 to 19:52].

42/25

25/00055/OUT - OUTLINE PLANNING PERMISSION FOR TWO DWELLINGS (LANDSCAPING RESERVED), 39 PARISH HILL, BOURNEHEATH, B61 9JH, CHAPEL HILL HOMES LTD.

The Application had been brought to the Planning Committee for consideration at the request of Councillor K. J. May, Ward Councillor.

A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report, and presentation slides as detailed at pages 109 – 129 of the main agenda pack; and in doing so, highlighted that outline planning permission was sought for the construction of two dwellings and detached garages on a parcel of land off Parish Hill, Bourneheath.

The Planning Inspectorate had considered a Permission in Principle (PIP) which had been allowed on appeal for two dwellings with this decision being issued in September 2024. The appeal had been awarded on the basis that the proposal in the Green Belt location would be an acceptable infill development.

The second stage of the PIP process was to apply for a technical details consent where the detailed proposal was reassessed.

The proposal detailed two dwellings and as part of this outline application, matters such as access, appearance, layout and scale with landscaping determined at the reserved matters stage.

The location was within the Green Belt and BDP4 of the Bromsgrove District Plan would apply. Development within the Green Belt was considered inappropriate unless it fell under a limited number of exceptions. Limited infill development was included within these exceptions.

The PIP appeal awarded on 26th September 2024 for two dwellings on this site was for extant permission that could still be implemented, and as such provided a strong fallback position for the applicant, making it an important material consideration for this application.

The proposed dwelling were located on a hillside location, which might result in a modest adverse effect of the openness of the Green Belt in terms of spatial and visual aspect due to the elevated location of the site.

There had been some amendments to the scheme in order to reduce the impact with a change of roof design and roof pitch.

Access to the site would be via Parish Hill, with individual access points cutting into the existing hedgerow to serve each plot. There would be adequate parking for each dwelling on each plot. The appearance was also noted as being a mix of render and brick gable on the front elevation.

Members were informed that the dwellings would be set back from the road and positioned at least 16.8 metres away from the road and set into the contours of the site. Adequate spacing would be maintained between the properties in accordance with the Council's SPD on High Quality Design.

There had been some concerns raised by residents in respect of the dwellings being overly large and not in keeping with the other properties in the village. However, in reviewing the PIP, the Planning Inspectorate had considered the dwellings acceptable in terms of their appearance and the layout, and scale in accordance with the BDP and SPD.

In respect of Highways matters, it was noted that concerns had been raised by residents regarding speed of traffic and construction traffic. In response to these concerns Highways had carried out a speed survey close to the site and had confirmed that average speeds were 32 miles per hour with the majority being lower than 30 miles per hour. Highways had no objections in respect of this application but noted the concerns from residents and had recommended that a Construction Management Plan condition be imposed with other highway conditions.

Residents had also raised concerns in respect of drainage matters and particularly a culverted watercourse. North Worcestershire Water Management (NWWM) had reviewed the drainage technical note and had accepted the results of the site investigations conducted in October and December 2024 which confirmed the soils underlying the site allowed for infiltration drainage.

Members were reminded that the Council could not currently demonstrate a five-year housing supply, and this proposal would result in two additional dwellings providing a limited contribution to the housing supply.

The proposal was recommended for approval subject to conditions.

At the invitation of the Chairman, Maria Murphy, addressed the Committee in objection of the application.

Matthew Hiles, the Applicant, addressed the Committee.

Members questioned as to the reason why this application had been called in to Planning Committee. Officers confirmed that any application could be called in by a Ward Members as per the Council's Constitution.

Officers also clarified that this site was located in the Green Belt, rather than Grey Belt as this was what the Planning Inspectorate had deemed this location to be when it considered the PIP appeal.

Clarification on the variety of housing types was also requested by Members. Officers confirmed that it was acknowledged within the appeal decision that there were a variety of housing types within the village. Members agreed that having visited the site that there did seem to be an eclectic mix of dwellings and that the proposed designs were of high quality.

Members queried whether there would be the opportunity to consult with local residents to ascertain the best way to access the site during construction. This information could be included in the Construction Management Plan. Officers confirmed that they could impose a lorry routing schedule as part of the conditions and would include that if the application was agreed. However, the conditions imposed were for the Local Planning Authority or statutory consultee and not for decision by the general public. Members were reassured that Highways would consult in respect of the Construction Management Plan.

The subject of the nearby culvert was raised by Members. It was queried as to whether there was the potential for the owners of the dwellings to maintain the culvert once the implementation had commenced. Officers explained that the culvert was not within the boundary of the proposed site and therefore was not part of the application being considered at this meeting. It was noted that NWWM were aware of the flooding issues at this site which had resulted in such robust conditions for this development including the specific timing of when the conditions must be discharged, which was prior to occupation. Members were reminded that these conditions would be subject to building control regulations and therefore would be checked robustly during that process. It was also reiterated that if a change in condition was requested by the applicant, then the application would return to the Planning Committee for consideration.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 116 - 119 of the main agenda pack (including the extra bullet point for condition 11 in respect of the Construction Management Plan) and the updated condition four as detailed in the Committee update.

43/25

PLANNING PERFORMANCE REPORT: QUARTER ONE

The Development Management Manager presented the Planning Performance Report: Quarter One for Members' consideration. In doing so it was highlighted that the speed of decision making for major and non-major planning applications was well within the acceptable tolerance. Officers explained that the speed of decision-making for major applications over the rolling one-year period was 92.8% and 87.7% for non-major applications over the rolling one-year period. The Government required a minimum of 60% of major applications and 70% of non-major applications to be determined in time, or within an agreed extension of time.

In terms of the quality of the decision making, no Local Planning Authority should exceed 10% of decisions being overturned at appeal. The Council's quality of decision making was 5.7% for major planning applications and 2.5% for non-major applications. As such the quality of decision making at Bromsgrove District Council was deemed sound.

There had been a number of appeal decisions in Quarter one. Members were informed that in respect of recent cost award outcomes, there were two decisions to note; Rock Hill and Stonehouse Lane decisions, where it was noted that the costs were refused in terms of the ask from the applicant.

RESOLVED that the Planning Performance Report: Quarter One be noted.

44/25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.

There was no Urgent Business on this occasion.

Planning Committee
9th October 2025

The meeting closed at 8.32 p.m.

Chairman