
Appendix A

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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

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.

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.

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), Illey Lane | APP/C4615/W/24/3345744 | 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.

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.

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.

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.

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.

Yours sincerely,
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Leader, Bromsgrove District Council

Councillor Simon Nock
Bromsgrove District Council

cc: Paul Lester – Senior Planning Officer – paul.lester@bromsgroveandredditch.gov.uk

Ruth Bamford – Head of Planning