Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr George Watson (Grenergy Renewables UK)	Proposed Battery Energy Storage System (BESS) and associated infrastructure Land Off Illey Lane, Hunnington		24/00960/FUL

RECOMMENDATION: That planning permission be **GRANTED**

The application was deferred at the 29 July 2025 Planning Committee to address the comments raised by Hereford and Worcester Fire and Rescue Service. The committee report has been updated with new comments submitted by Hereford and Worcester Fire and Rescue Service and other consultees. As well as a revised section regarding Fire Risk and Fire Water Management and relevant planning conditions that has been agreed between the LPA and the Hereford and Worcester Fire and Rescue Service.

1.0 Consultations

Worcestershire Highways - Bromsgrove
Following clarification on several matters, no objection subject to conditions

- Vehicular access
- Site Access and Signing:
- Conformity with Submitted Details
- Vehicular visibility splays approved plan
- Highway Condition Survey

Conservation Officer

- In terms of heritage, as confirmed in the submitted Heritage Statement, there are numerous heritage assets within the localised area, including the Grade I Listed Sy Mar's Abbey Ruins and the associated SM of the Halesowen Abbey and associated water control features, lying some 600m to the north-east; the Grade II listed Oatenfields Farmhouse, lying some 150m to the west, with additional historic barns which may be considered as being curtilage listed; Illey Mill (NDHA) lying adjacent to the proposed site entrance; and Goodrest Farm (NDHA), lying to the south of the site, which dates at least to 1831, being evident on the First Ed of the OS mapping, but most likely has earlier origins, and is characterised by a loose courtyard farmstead.
- I agree with the HS that there will be a degree of less than substantial harm to the significance and setting of the Grade II Oatenfields Farmhouse through the proposed development, resulting from both the alteration of the agricultural nature of the Site, as well as the visual prominence of elements of the scheme, including the scale and size of elements such as the transformer and the high level disconnectors, and that this would be at the low end of the scale of LTS. In line with the NPPF, and with the intentions of S.66 of the P(LBCA)A 1990, such harm should be afforded great weight in undertaking a tilted balance of the harm against the public benefits of the scheme, and that clear and convincing justification has to be provided. In terms of the provision of such, this is set out in the Planning Statement in terms of the need for renewable energy storage

- I disagree that there would be no harm to the setting, insofar as this contributes to significance, of Illey Mill, as part of the rural character of this setting, which does contribute to its significance, would be altered. I consider that this would be a low level of harm to significance, where a balanced judgement has to be given to the scale of harm and the significance of the asset.

- I also agree that there would be some limited harm to the setting and significance (insofar as the former contributes to the latter) of the Goodrest Farm complex, again resulting in the need for a balanced judgement to the given to the scale of harm against the significance of the asset.

Worcestershire Archive and Archaeological Service

- The Proposed Development Site is situated on the eastern-facing slopes of a shallow valley formed by the Illey Brook, which approaches the Site from the southeast and joins with the watercourse that runs through the Site just to the east of the Site boundary. The red line boundary of the proposed development site appears to have been reduced in scale, from that assessed as part of the geophysical survey and Desk Based Assessment.
- Historic cultivation marks ('ridge and furrow') and earthworks of former field boundaries are evident on Environment Agency LiDAR, within the red line boundary. The 'ridge and furrow' is narrow and relatively straight; it does not have the appearance of medieval cultivation and appears post-medieval/modern in date.
- Earthworks potentially associated with the vast estate of the scheduled and Grade I listed St Mary's Abbey, (c. 800m northeast of the site), are recorded along the Illey Brook, c. 215m northeast of the site (HER ref. WSM36168). Deep curvilinear earthworks c.50m east of the site (WSM36170), along the Illey Brook, may be associated with Illey Mill, which is situated c. 30m east of the site's eastern boundary.
- The Worcestershire Historic Environment Record records an area of Palaeolithic Potential, Head Deposits comprising possible deposits of unknown potential for Palaeolithic unstratified and paleoenvironmental remains (HER ref. WSM56936), directly south of the proposed development boundary.
- The Desk Based Assessment (DBA) submitted with application, which considers evidence from both the Worcestershire and Dudley Historic Environment Records, assesses the potential for prehistoric archaeological remains across the site as medium. I would agree with this assessment given the identification of worked lithics, cropmarks, including possible ring ditches and enclosures, and concentrations of heat crazed pebbles (pot boilers) suggestive of burnt mound material, identified within the sites wider setting, and often concentrated around watercourses. As noted in the DBA this may represent dispersed prehistoric settlement and/or funerary activity.
- The DBA considers it unlikely that significant Roman remains will be present on the site. It also assesses the potential for medieval and post medieval activity across the site to be medium, and likely related to agriculture, drainage and enclosure.
- The geophysical (magnetometer) survey undertaken in February 2024 ' during which data was collected at a traversal interval of 2m and sample interval of 0.50m - recorded several anomalies across the survey area, some of which were identified as possibly archaeological (strong and weak possibility) in origin, others of undetermined origin. This included a large series of anomalies in Area B (F12) which cover the length of the area from north to south. As noted in the geophysical survey the exact interpretation of these anomalies is difficult to determine given the size and form, only an archaeological investigation will characterise what these anomalies are.

- The DBA notes that the nature and date of anomalies, recorded during the geophysical survey, is currently undetermined. It tentatively theorises that anomalies could relate to agricultural practices (i.e. ridge-and-furrow agriculture). The DBA also suggests that given the lack of nearby corresponding prehistoric/Roman features, it is improbable that the anomalies are related to these periods. However, given the identification and extent of worked lithics, cropmarks and concentrations of heat crazed pebbles suggestive of burnt mound material, identified within the sites wider setting, I would tentatively theorise that anomalies may alternatively relate to prehistoric activity along the valley of the Illey Brook. As referenced in the DBA, we can only theorise as to what these anomalies attest too, and only further archaeological investigation through evaluation will confirm their nature.
- The areas showing the strongest concentration of anomalies appear to have largely been removed from the red line boundary of the proposed development site. However, given the results of the geophysical survey and medium potential for subtle prehistoric archaeological remains across the site in general ' that would be truncated or totally removed should groundworks be undertaken ' I would suggest that further archaeological investigation is undertaken pre determination, to identify the presence or absence of archaeological remains their character and significance, within the area of the current red line boundary, that may not have been picked up by geophysical survey due to their more subtle, discrete nature.
- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- The application is judged to have the potential to impact heritage assets of archaeological interest that would be significantly altered or lost through development. Further archaeological investigation is recommended within the area of the red line boundary to determine the presence or absence of archaeological remains their character and significance. This should take the form of evaluation predetermination, with a sample rate of 2%. A written scheme of investigation should be submitted to the archaeological advisor for the district for approval prior to any intrusive investigation. Trail trenching predetermination will inform the decision making process and should the application ultimately be approved, the requirement for and scheme for any further archaeological works by condition.
- Should you be minded to grant planning permission for this scheme, without further archaeological investigation predetermination, a programme of archaeological works should be secured and implemented by means of a suitably worded condition attached to any grant of planning permission. This would take the form of evaluation by trial trench initially (at a sample rate to be discussed). This could be followed by further mitigation should the results of the evaluation find evidence to justify further stages.

North Worcestershire Water Management
Following clarification on several matters, no objection subject to conditions:

- Detailed surface water drainage scheme design, including maintenance
- Construction surface water management plan
- Buffering of the watercourse
- Permeable access to remain permeable

Environment Agency
- Whilst we note the reason for your consultation being an application for a Battery Energy Storage Systems (BESS) site, based on the sites constraints this does not fall within our checklist and would not be a reason for consulting us, therefore we would have no bespoke comment to make.
- We have recently produced some guidance to assist with applications involving BESS that I have attached for your consideration, alongside our checklist for when to consult us on planning applications which we would appreciate being review and filled out on receival of any future applications.

WRS - Contaminated Land
- No objection

WRS - Noise
No objection subject to conditions
- Pre-occupation noise assessment
- Construction and Environmental Management Plan (CEMP)

WRS - Air Quality
- No objection

Consultant Conservation And Landscape Officer
- No objection
- I have no objection to the scheme on landscape grounds providing opportunities for mitigation are maximised and managed to ensure net gains for landscape character are delivered and sustainably managed. Should you be minded to grant the scheme permission then I recommend that landscape and habitat mitigation and BNG objectives are delivered in the context of a Landscape and Ecological Management Plan (LEMP).

Natural England
- No objection
- Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes and has no objection.

Ecology (Thompson Environmental Consultants – Bromsgrove DC appointed ecology consultant)
- No objection
- Following receipt of an updated PEA and GCN Survey, these documents are considered sufficient to address the comments raised in the original response. The LPA should note the recommended conditions in the original response.

Worcestershire County Council Countryside Service

- Following information from the applicant, it is confirmed that there is separate access for the PROW. No further information is required in this instance, but applicant should note the general comments made.

Arboricultural Officer

- No objection subject to conditions
- Adherence with the submitted Arboricultural Method Statement
- Should any tree, existing or planted as part of the landscaping proposals, die or become diseased within 5 years of completion of the development they are to be replaced like-for-like within 1 year.
- Should any pruning to retained trees, be necessary to facilitate the development, they are to be done in accordance with BS3998:2010

Hereford and Worcester Fire and Rescue Service

Response dated 29 July 2025

- I don't believe that all fire safety matters have been satisfied by the applicant, nor any conditions agreed that may assist you in determining the application. Without copying my officers letter I understand the key issues to be;

- Water Supply and Fire Suppression - A minimum flow rate of 1,900 litres/min for 2 hours (i.e. 228,000 litres) Grenergy response seems to reject NFCC water supply guidance as 'not suitable'. Although the fire strategy suggests there will be two hydrants it omits to provide any detail, location, testing data for flow rates etc.

- It is also noted that on p.17-18 of the DNV report (Risk Management Plan by DNV) a reduced volume is suggested (300- 500L/min based on Energy Institutes Code of Practice 2019), referring to fires at petrochemical installations. If correct this does not meet the NFCC guidance.

- Our letter also asks for detail concerning suppression systems, the information provided is relatively brief, with no detailed specification nor performance data provided.

- **Site Access and Roadways** - Our letter clearly asks for two separate access points to the site, this has not been shown on the application. Furthermore, NFCC guidance requests a perimeter road, which I do not believe has been achieved, as the site plan only shows the road to one side of the site. There is also no turning facility provided on-site.

- **Container Separation Distances** - Our letter requests 6 metre separation, and whilst there is a discussion in the DNV report concerning how units will be grouped, they have not provided any fire modelling by a qualified fire engineer to qualify the assumptions.

- **Vapour Cloud, Explosion & Deflagration Risk** - Our letter requests mapping and identification, and also the potential environmental impact of such a scenario, which

again we have not had site of. Whilst there is some generic statements, there is no specific site modelling or plan been provided by the applicant.

- **Operation Response** - No discussion has taken place with the applicant concerning this, which is of concern to HWFRS. Indeed, DNV suggest that a plan will be provided post consent, which I do not consider appropriate. As discussed above, DNV have not engaged with HWFRS, and therefore I am unable to comment further on this particular point.

- **Testing & Design Evidence** - HWFRS have been provided no detail concerning specifications, gas detection, suppression systems etc., which does not meet the NFCC guidance for this application.

- Finally our letter discusses the importance of environmental impact, and potential for contaminated water run-off in the event of a fire incident. We have been provided no evidence of containment, nor any view from the Environment Agency in this regard, which again is a concern.

- I understand that our letter dated 21st October 2024 does not formally object to the scheme, however as you can see from my limited comments above, I do not consider all HWFRS and NFCC Guidance have been satisfied. Therefore, I would urge any decision be postponed until satisfactory information is provided by the applicant, and any planning conditions (including pre-commencement) have been agreed, as again I am unaware we have be consulted on any requirements in this regard.

Final Response Dated 1st October 2025

- Please see our latest response to the above application. Following additional consultation with the applicant and planning authority, we have now reviewed the revised documentation submitted. Our previous concerns centred around the following key points, raised by email on 29 July 2025, notably;

- **Water Supply and Fire Suppression** - A minimum flow rate of 1,900 litres/min for 2 hours (i.e. 228,000 litres) Grenergy response seems to reject NFCC water supply guidance as 'not suitable'. Although the fire strategy suggests there will be two hydrants it omits to provide any detail, location, testing data for flow rates etc.

- It was also noted that on p.17-18 of the DNV report a reduced volume is suggested (300- 500L/min based on Energy Institutes Code of Practice 2019), referring to fires at petrochemical installations. If correct this does not meet the NFCC guidance.

- We believe this issue has now been resolved, with the applicant agreeing to provide relevant hydrants with the required flowrate. However, we would request that the following condition wording be agreed as part of any approval.

Access & Fire Service Equipment Proposed Condition

- Prior to the commencement of any above ground works pursuant to the development permitted, a detail site layout plan shall be submitted and approved in writing by the Local Authority and Hereford and Worcester Fire and Rescue Service. The approved

scheme will require two access points, with appropriate turning and passing laybys, adjacent to site fire hydrants.

- The scheme will include as a minimum two fire hydrants capable of delivering 1,900 litres per minute at the site (unless an alternative is agreed in writing with Hereford and Worcester Fire and Rescue Service). The two fire hydrant locations shall be agreed and detailed on the site layout plan and included in the Emergency Response Plan.

- Our letter also asked for detail concerning suppression systems, the information provided was relatively brief, with no detailed specification nor performance data provided.

- This has been discussed with the applicant, and whilst we understand that this detail is often not known at the planning application stage, we would therefore request that the following condition wording be agreed as part of any approval.

Battery Infrastructure / Technology Proposed Condition

- No battery unit or associated electrical equipment shall be brought on the site until details of an overarching Fire Safety Precaution Statement for the development has been submitted to and approved in writing by the Local Planning Authority (following consultation with Hereford and Worcester Fire and Rescue Service). This statement shall be guided by the applicant's submitted Fire Safety Strategy and the "Grid scale battery energy storage system planning - Guidance for Fire and Rescue Services" published by the National Fire Chiefs Council (or any subsequent update and references). Thereafter, the development shall operate in accordance with the measures outlined in the approved Fire Safety Precaution Statement.

- **Site Access and Roadways** - Our letter clearly asked for two separate access points to the site this had not been shown on the application. Furthermore, NFCC guidance requests a perimeter road, which I do not believe has been achieved, as the site plan only shows the road to one side of the site. There is also no turning facility provided on-site.

- We note that the applicant has revised the site layout providing an additional access to the north-east corner of the compound, a perimeter road around the complete BESS facility, which now provides access at three points. We do note the NFCC Guidance states two separate access points to the site, which can be interpreted as the 'whole site' rather than the facility or compound area. We have reviewed the layout and again and are satisfied with the additional laybys provided, and access to the facility in the north, east and south locations.

- **Container Separation Distances** - Our letter requested 6 metre separation, and whilst there was a discussion in the DNV report concerning how units would be grouped, they had not provided any fire modelling by a qualified fire engineer to qualify the assumptions.

- Concerning this point we have reviewed the detail provided, and proposed container layout with regard to any proposed operational response, boundary container cooling etc. in the event of an incident. At this point we have no further comments.

- **Vapour Cloud, Explosion & Deflagration Risk** - Our letter requested mapping and identification, and also the potential environmental impact of such a scenario, which again we have not had site of. Whilst there were some generic statements, there was no specific site modelling or plan provided by the applicant.

- Following further consultation with the local planning authority and applicant we have reviewed the proposals with regard to the proximity to boundaries and taken account of the compound access points now provided, so make no further comment.

- **Operation Response** - No discussion had taken place with the applicant concerning this, which was of concern to HWFRS. Indeed, DNV suggested that a plan would be provided post consent, which we did not consider appropriate at that time.

- Following further engagement, we do understand that a full response plan is not normally considered at this stage of planning. However, we believe that an extensive, site specific response plan should be agreed prior to any operation on-site, and therefore would request that the following proposed condition be included in any subsequent approval by the local authority.

Fire Incident Response Plan Proposed Condition

- Prior to the commencement of any above ground works pursuant to the development permitted, a detail and site specific Emergency Response Plan shall be submitted and approved in writing by the Local Authority and Hereford and Worcester Fire and Rescue Service. The Emergency Response Plan shall be developed using best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by the National Fire Chiefs Council. The development shall be carried out and thereafter operated only in accordance with the approved site specific Emergency Response Plan.

  The site specific Emergency Response Plan should cover as a minimum; a) Hazard Information;
  b) Response Procedures;
  c) Environmental Impact Mitigation;
  d) Post Incident Operations;
  e) Communication and Notification;
  f) Command & Control;
  g) Training & Exercising Responsibilities;
  h) All relevant site specific information.

- **Testing & Design Evidence** - HWFRS had been provided no detail concerning specifications, gas detection, suppression systems etc., which did not meet the NFCC guidance for this application. This point is discussed above, with the request of the suggested Battery Infrastructure / Technology Proposed Condition being included as part of any approval by the local authority.

- Finally, our previous letter discusses the importance of environmental impact, and potential for contaminated water run-off in the event of a fire incident. We had been provided no evidence of containment, nor any view from the Environment Agency in this regard, which again was a concern. We have reviewed the scheme proposals for water run-off and environmental impact, and note the containment proposals detailed. We make no comment with reference to environmental impact but would propose the following condition be included in any approval by the local authority.

  Drainage / Containment of fire water run-off in the event of an incident Proposed Condition

- No development shall take place until a scheme to dispose of surface water and any contaminated drainage from fire suppression has been submitted to and approved in writing by the Local Planning Authority (in consultation with Hereford and Worcester Fire and Rescue Service).

- A construction phase Surface Water Management Plan (SWMP) should also be submitted and agreed to ensure that surface water run-off and contamination is temporarily intercepted, stored, treated, and discharged from the site during construction of the scheme.

- A management and maintenance plan shall be submitted to ensure surface water drainage systems are maintained and managed for the lifetime of development, including the name and contact details of the body(-ies) responsible. The scheme shall include:

  a) details of any fire prevention systems;
  b) evidence of agreement with the Hereford and Worcester Fire and Rescue Service to confirm the expected volume and nature of contaminated water which would need to be managed in the event of a fire on the site (subject to an approved fire incident response plan being agreed);
  c) details of the nature of any contaminants which could be present from a failure and leak from the batteries and/or transformer(s) on site;
  d) details of fire water containment systems and how these will be designed to prevent infiltration and/or isolated to prevent direct discharges of contaminants to surface water outfalls;
  e) details of SUDS features and how these will be constructed to prevent the infiltration of contaminated water to ground (e.g. the proposed permeable hardcore will need to be lined to prevent infiltration);
  f) details of how the drainage system will be designed such that it is resistant to damage and corrosion that may occur during a fire incident;
  g) a management and maintenance plan to ensure that all drainage features, including penstock valves are maintained and functional throughout the life of the development. This should include plans for replacement and repair of elements that may be damaged as a result of a fire incident;
  h) evidence that a plan is in place, including the name and contact details of the body(-ies) responsible, to remove and safely dispose of any contaminated water stored on site in the event of an incident, including fire.

- Officers have also reviewed the recently issued fire safety rebuttal submitted by Hunnington Parish Council, report dated 18 September 2025. We note the concerns raised, and believe that the specific fire safety matters have been addressed in the revised plans, or have been captured in the proposed conditions that we believe should all be accepted if the scheme is approved at committee.

National Grid (Asset Protection)

- Regarding planning application 24/00960/FUL, there are no National Grid Electricity Transmission assets affected by the proposal.
- The applicant will need to have a valid connection agreement and agree a cable easement (via the Use of NGET Land Process) with us for their proposed cable routed through are land surrounding the substation.
- Please note this response is only in reference to National Grid Electricity Transmission assets only.

National Grid's Embedded Capacity Register

- The Embedded Capacity Register (ECR) provides essential information on generation and storage resources connected to the National Grid's distribution network, updated monthly for stakeholders.
- No comments received from the National Grid's Embedded Capacity Register following the end of the consultation period

Birmingham City Council

- No comments received

Dudley Metropolitan Council (Neighbouring authority)

- Object to the application on the following grounds:

1. Area of High Historic Landscape Value

- The submitted Landscape and Visual Appraisal prepared by Stephen Halliday and the Historic Environment Desk-Based Assessment prepared by SLR both fail to acknowledge and assess the impact of the proposals on the significance and setting of the Illey and Lapal Area of High Historic Landscape Value (AHHLV), a non-designated heritage asset, located immediately adjacent to the application site within the Dudley Borough boundary.

2. Designated heritage assets

- Figure 4 of the Landscape and Visual Appraisal (considers the Zones of Theoretical Visibility, including screening (areas shaded purple below). It is noted that two designated heritage assets within Dudley's Borough boundary fall within these zones, the Leasowes Registered Park and Garden (Grade I listed) and Halesowen Abbey (Grade I listed and a scheduled Monument). The submitted Landscape and Visual Appraisal and the Historic Environment Desk-Based Assessment both fail to consider the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 This is contrary to para 200 of the NPPF.

3. Cumulative Impact of BESS within the wider Green Belt

- Chapter 13 of the NPPF sets out the Government approach to Protecting Green Belt Land. Para 143 sets out the five main purposes of the Green Belt. As part of the supporting statements, no assessment has been made of the cumulative impact of the

application site when considering it in conjunction with two other Battery Storage application sites) which fall within the Zones of Theoretical Visibility, identified in Fig 4 of the Landscape and Visual Appraisal. No assessment has been made regarding the cumulative impact of these schemes when considered holistically and how these developments collectively impact on the five main purposes of the Green Belt and its integrity. This cumulative impact also needs to be considered in respect of the Illey and Lapal Area of High Historic Landscape Value (AHHLV). All 3 sites are accessed directly off Illey Lane.

4. Highway Safety Implications

- As the proposed access point is immediately adjacent to Dudley MBC's Borough boundary, consultation has been undertaken with Dudley MBC Highway Engineers. On review of the submitted information the Highway Engineers share Worcestershire County Council's Highway Authorities view that the proposal should be refused on insufficient information.

In addition to the above, further comments have been raised regarding the following:

- Appropriate liaison should be undertaken around public rights of way (PROW) which runs through the application site, and an agreed solution would need to be secured to maintain accessibility over the PROW.
- The proposed access track should be of a sufficient width to allow two vehicles to pass and be of an appropriate construction.
- Details of the proposed junction onto Illey Lane should be provided, including details of gradients, radii and widths to allow for an informed assessment.
- Impact of the adjacent property and existing structures on visibility to the southeast of the access. This would need to be confirmed as part of any final access design.
- There are overhead wires within the vicinity of the access and associated track. This would need to be considered if development is to be supported.

Hunnington Parish Council

- Hunnington Parish Council have submitted two objections as part of the application. In their objections that raised a wide range of issues and concerns with the proposed development including cumulative impacts. These issues include comments on the following matters:
  1. Hunnington in Context (Green Belt Designation)
  2. The planning application and BESS sites
  3. Lowlands Farm and Illey Brook Farm BESS sites
  4. Cumulative Effects
  5. Green Belt Status - Appropriateness
  6. Harm to the Green Belt
  7. Bess Sites and Renewable Energy
  8. The Surrounding Countryside of Hunnington
  9. Register of Public Rights of Way
  10. The Quality of the Hunnington Countryside (Illey and Hunnington Environment and Landscape Analysis)
  11. Siting and Effects on Local Residences
  12. Wildlife Impact and the Nature Friendly Farming Initiative
  13. Noise pollution
  14. Battery Plant Safety - Fire and Toxic Risk
  15. Flood and Pollution Risk
  16. Cyber and Terrorist Threat
  17. Operational Impact

18. Forty Year Temporary Permission
19. Financial Status of Grenergy Renewables
20. Consultation With Residents (lack of support for development)

In conclusion that state the following:

- *‘‘At the time of writing, two adjacent BESS sites have recently been approved and there is a potential for 3 significant BESS sites on the same tract of Green Belt land, and all within less than one mile of each other. The fact that two of these sites are within the Dudley Borough Council boundary is irrelevant, as Illey Brook Farm is less than half a mile from Goodrest Farm.*
- *We believe that this clearly demonstrates that the cumulative harm to the Green Belt significantly outweighs any benefits, of a third BESS site and that “very special circumstances” cannot be applied in these circumstances. Furthermore, HPC would argue that the current BESS commercial “free for all”, with lack of central control, is leading to decisions being made with absurd consequences.*
- *We believe that the close proximity to residential houses is the consequence the site selection process, and that Grenergy could not find any other suitable location. Furthermore, this presents a significant risk of harm to residents through fire and concomitant pollution. This is reiterated by HWFRS in their response, and we believe sets it apart from most other BESS Green Belt applications. This is further exacerbated by the lack of any detailed risk assessments by Grenergy or consultees, along with appropriate contingency plans should a serious fire or pollution incident occur.*
- *Hunnington is a semi-rural village within a widely recognised Green Belt area, popular with walkers and wildlife enthusiasts. To allow this to go ahead would lead to the spoliation of an historical and much-loved area.*
- *Grenergy state “This effect or harm (to the Green Belt) s however temporary given the limits of the lifetime of BESS developments (para 2.3.5). This temporary nature is 40 years, which is the lifetime of many residents.*
- *The Bluebird development alone is significant for a village of this size. This particular planning application represents the most serious issue to face the parish council and its residents since its formation and will trigger the demise of Hunnington as we know it. Hunnington Parish Council therefore strongly objects to this planning application”.*

Members also received a further objection from Hunnington Parish Council on Monday 16 June. This raised concern regarding the summary of the Parish Councils comments in the committee report in particular the consequences of downstream flooding from Illey Brook and The Operational Response statement from HWFRS. The Parish Council wanted to draw members attention to their objections, particularly sections 4, 14.5 and 15.

The Hunnington PC response is summarised in the committee report as well as their detailed comments being on public access for the application. Due to the 24 pages of comments submitted by the Parish Council, a summary has been provided.

Following this Hunntington PC a further objection dated 30 June 2025. The comments supplement the comments already received and can be summarised as follows:

- National and Regional Oversupply of Battery Storage Capacity
- Fire Safety Failures and Environmental Risk
- Battery Waste and Replacement Over the Project Lifecycle

- Stand-Alone BESS and Cumulative Infrastructure Impact at Kitwell
- Green Belt and Grey Belt
- Planning Balance and Conclusion

Following the July 2025 Planning Committee further objections have been submitted regarding Fire Safety dated 18th September 2025.

In this document Hunnington Parish Council asks that the application be Refused, or at minimum Deferred, unless and until the redesign and evidence in Section 11 are submitted and formally signed off by HWFRS. Section 11 outlined the following matters:

Required Redesign — Non-Negotiable Pre-Consent Deliverables

- Two independent highway accesses plus a full perimeter loop road with passing places/turning heads to ADB B5; submit swept-path drawings.
- Hydrants: tested performance with flow/pressure curves, undertaker certification, and relay routing to sustain ≥1,900 L/min for ≥2 h.
- Dedicated engineered containment (tanks/bunds/valves) sized to worst case; impermeable linings; EA-agreed handling/disposal; segregated from SUDS/BNG features.
- Vendor fixed pre-consent; declare chemistry/form factor; supply product data sheets.
- UL 9540A full suite dossier (cells→modules→racks→installation), witnessed by an approved lab.
- Registered FPE report interpreting test data to govern spacing, venting, explosion control, gas handling, and standoff at this site.
- Separation: maintain ≥6 m unless FPE-endorsed, installation-specific evidence justifies any reduction.
- Detection/monitoring/suppression/venting: full specifications, schematics, alarm telemetry to FRS, vent discharge maps and exclusion zones.
- Plume dispersion & deflagration modelling: computational analysis under prevailing winds; receptor mapping, cordon plans, public warning triggers; feed into ERP and layout.
- Site-specific ERP: appliance staging, water logistics, road closures, comms, handover, post-incident decontamination.
- Formal HWFRS sign-off confirming the above before committee.

This was supplemented by further comments regarding the Lincomb Farm BESS (Wychavon DC) and the response from HWFRS.

Further comments regarding BNG/ecology material which can be summarised as follows:

The applicant’s revised BNG submission (Sept 2025):
- Fails to resolve the four issues highlighted by the Council’s consultant.
- Introduces new flaws, notably counting an impermeable firewater lagoon as habitat.

- Misapplies multipliers and assumes unrealistic delivery conditions. When corrected, shows only ~8.6% habitat gain, below the statutory 10% requirement.

The detailed responses from the Parish Council are all published in full on Public Access for the application and members are encouraged to read these documents.

2.0 Public comments

89 letters sent to neighbours 07.10.2024 (expired 31.10.2024)
Site notice displayed 12.10.2024 (expired 05.10.2024)
Press advert 04.10.2024 (expired 18.10.2024)

77 objections received
1 neutral comment received

Comments are summarised as follows:

Green Belt
- Harm to openness and visual amenity
- No very special circumstances
- No need for the proposed development
- Cumulative impact with other proposals

Highway matters
- Safety of access/egress onto the site in the context of prevailing traffic speed
- Restricted Emergency Access
- Safety issues given proximity of adjacent Public Right of Way
- Impact on Public Rights of Way

Design and appearance
- Development will be prominent in the context of surrounding views and will negatively impact upon those
- Mitigation measures, including planting, inadequate due to scale of development
- Unsightly appearance of proposal
- Impact upon character and setting of listed buildings

Other matters
- Battery fires, unsafe technology, decommissioning
- Infrastructure upgrade to facilitate development
- Impact on wildlife/biodiversity
- Loss of agricultural land
- Noise from BESS
- Construction noise
- Flooding/Drainage
- No strategy to future BESS facilities
- Proposed connection to Kitwell

Other issues which are not material planning considerations have been raised but are not reported here as they cannot be considered in the determination of this application.

3.0 Relevant Policies

Bromsgrove District Plan
BDP1 – Sustainable Development Principles
BDP2 – Settlement Hierarchy
BDP3 – Future Housing and Employment Growth
BDP4 – Green Belt
BDP12 – Sustainable Communities
BDP16 – Sustainable Transport
BDP19 – High Quality Design
BDP20 – Managing the Historic Environment
BDP22 – Climate Change
BDP23 – Water Management
BDP24 – Green Infrastructure
BDP25 – Health and Well Being

Others
NPPF – National Planning Policy Framework 2024
NPPG – Planning Practice Guidance
High Quality Design SPD

National Government Policy regarding Energy
National Policy Statement EN-1 (Overarching National Policy Statement for Energy) January 2024
National Policy Statement EN-3 (For Renewable Energy Infrastructure) January 2024

4.0 Planning History

None

5.0 Nearby Planning History

5.1 Within the vicinity of the application site two Battery Energy Storage System (BESS) have been allowed following planning appeals since September 2024. Details of these decisions are summarised below:

Land at Illeybrook Farm, Illey Lane

5.2 Erection of a battery energy storage system (BESS) together with associated infrastructure, site levelling works, access onto Illey Lane and ancillary development at Land at Illeybrook Farm, Illey Lane (Dudley P23/0940) allowed following a planning hearing (APP/C4615/W/24/3345744). The decision was in April 2025, following an earlier decision being superseded.

5.3 The Planning Inspector considered that the proposal would constitute inappropriate development in the green belt which should not be approved except in very special circumstances, which national policy advises will not exist unless the potential harm to the green belt and any other harm is clearly outweighed by other considerations. In the green belt balance, the inspector decided the weight given to the contribution to mitigating climate change and to energy security, the

absence of alternative sites taking into account a grid connection offer, and to the potential for permanent BNG, clearly outweighed the temporary harm to the character and appearance of the area. Accordingly, overall, very special circumstances existed which justified the development and the appeal was allowed.

Land at Lowlands Farm, Illey Lane, Halesowen

5.4 Provision of battery energy storage, substation compound with associated infrastructure, fencing, access road, drainage and landscaping at Lowlands Farm, Illey Lane, Halesowen, B62 0HJ (Dudley P22/1733) allowed following a planning hearing (APP/C4615/W/24/3341383) 4th September 2024.

5.5 The development would involve the provision of plant and equipment including a series of battery units around three metres in height, associated infrastructure, compound buildings, palisade fencing, CCTV cameras as well as an access road. In the inspector's assessment, although the site was small in the context of the wider green belt, it made a strong contribution to the green belt and therefore the development would conflict with the purpose of safeguarding the countryside from encroachment as well as causing considerable harm to spatial and visual openness.

5.6 The field which comprised the site was visible from a number of locations, and from the motorway and a footbridge over it, the inspector identified, concluding that there would be additional harm to the character and appearance of an area of area of high historic landscape value but not to its heritage significance because ridge and furrow and old parish boundary hedgerows would be unaffected.

5.7 Under other consideration the Inspector recorded that the development would facilitate greater use of renewable energy sources, give more flexibility to the energy system, benefit energy security and help meet net zero targets key to addressing climate change. He noted that national energy policy EN-1 states that electricity storage has a key role to play in achieving these objectives, and that this was consistent with the draft NPPF policy (at that time) on low carbon development.

5.8 The Inspector concluded that these other considerations clearly outweighed the harms to the green belt and landscape. Therefore, very special circumstances existed which justified the development.

6.0 Environmental Impact Assessment (EIA)

6.1 The application was due to be considered at the Planning Committee on 23rd June 2025. However, this was deferred at the agenda following an application to the Secretary of State for a Screening Direction. In correspondence dated 2nd July 2025 the Secretary of State confirmed that based upon the evidence this did not indicate a need for the Secretary of State to exercise her power under regulation 5(6), and therefore the Secretary of State declined to issue a screening direction in response to the request.

6.2 The aim of the EIA Regulations is to ensure that major projects that are likely to have impacts on the environment are subject to an EIA so that these impacts are fully assessed and understood before planning permission is granted. Development proposals of varying types are categorised in the EIA Regs as either Schedule 1 or Schedule 2 development, depending upon the nature and scale of the development. Development proposals within the former category must always be subject to an EIA, while those within the latter category must be subject to a determination as to whether the proposals are likely to have significant effects on the environment where one of the threshold criteria is exceeded. In addition, if development falls within Schedule 2 but is within a sensitive location, even if the minimum criteria is not met, a screening opinion is still required to decide whether the proposal is likely to have significant environmental impacts and therefore if an EIA would be required.

6.3 The Local Planning Authority issued its original screening opinion in March 2024, which confirmed that the development was not EIA development. Having regard to all material matters and the information provided by the applicant in support of the application and the consideration of the nearby approved schemes it is the local planning authority's view that the proposed development is not EIA development.

Assessment of Proposal

7.0 Site Description

7.1 The application site extends to approx. 3.8ha, lies to the south of Illey Lane and comprises agricultural land and encompasses several fields, with the proposed development situated towards the middle of the site area.

7.2 The site's immediate surrounding area is considered to be rural and agricultural, it is screened and surrounded by dense vegetation, tall trees and situated away from the primary residential areas located along Bromsgrove Road (approx. 120m from the western site boundary to the nearest dwelling). Site access will be taken via an existing private gate along Illey Lane.

7.3 The site is within Flood Zone 1 where the risk of flooding is at its lowest. Whilst the site does not lie within a Conservation Area and there are no listed buildings on the site, the nearest Grade II Listed Building (Oatenfields Farmhouse) is approximately 155m to the northwest of the site.

8.0 Proposal

8.1 Full planning permission is sought for the erection of Battery Energy Storage System (BESS) to provide energy balancing services to the National Grid. The application proposes the erection of storage containers, support infrastructure and security fencing along with landscaping and associated works.

8.2 The proposed development would comprise of the following equipment housed within a fenced compound:

- 60 no. Battery Units

- 20 no. Power Stations *which contain two inverters
- 132kV Substation within a 52.7m by 28.9m compound
- 2no Switchgear
- Monitoring Room / Office 12.2m in length, 2.6m in height (2.75m on base) and 2.44m width
- Auxiliary Transformer
- DNO Control Room Building 7.5m in length, 5m in height and 6.7m width
- CCTV Cameras

8.3 The battery units are laid out in 5 rows of 12 battery units, with 2 sets of power stations within each row. At the frontage of the battery storage facility has a substation, switchgear buildings and monitoring room/office. Of the 3.8ha application site the developable area of the site is around 1ha.

8.4 The compound surface would comprise primarily of type 1 aggregate surface, with the above equipment sitting on raised reinforced concrete foundations. Internal access tracks within the compound would consist of a tarmac/asphalt surfacing.

8.5 Access to the site will be taken via an existing access point located along Illey Lane and will be upgraded as required to provide suitable access. The compound would be surrounded by a fence, with an appropriate landscaping scheme around the perimeter and the BESS. Remaining spacing outside the fence line is to be utilised for new woodland, hedgerow and tree planting as well as rough/wildflower grassland.

8.6 The proposed development would be time-limited to 35 years, after which time all infrastructure would be removed from the site.

8.7 This type of facility operates by taking excess electricity from the grid at times of low demand when energy would otherwise be lost, storing it in batteries, and releasing it back to the Grid when demand is high. Energy storage facilities therefore improve the efficiency of existing energy production facilities, notably from renewables where production is intermittent and based on external conditions. BESS can also operate in several different modes to provide grid stability services, such as managing voltage and frequency imbalances as renewable generation dips up and down. A battery energy storage facility does not itself generate renewable energy but provides storage capacity.

8.8 The point of connection (PoC) for the facility would be into the Kitwell Substation which is located approximately 2km east of the application site on Kitwell Lane. The connection would be made using underground cabling from the application site to the substation. This is outlined within the Alternative Site Assessment (ASA) document. There are no overhead power lines/pylons proposed. The underground cabling does not form part of this application and would be subject to a future planning application.

8.9 In relation to the point of connection an application for the spare capacity is then made to National Grid Electricity Distribution (NGED) at a cost to the applicant. If the application is successful, the grid connection offer is made exclusively available only from the site that it is applied for, with connection to the PoC. At this

stage, and going forwards, the site cannot then be changed as this is the agreed and offered grid connection point.

8.10 The applicant is Grenergy Renewables UK Ltd they are an Independent Power Producer (IPP) that designs, develops, implements and operates renewable energy plants on a large-scale across the globe. Headquartered in Spain, Grenergy entered the international market in 2007 with the aim of producing clean, sustainable energy and are now present in 11 countries. As of 2020 Grenergy entered the UK market to support the Nation's shift to Net-Zero and protect the environment for future generations. To date, Grenergy has over 1.8 GW of renewable projects in operation or under construction across the globe through 80 connected plants, primarily in Spain and South America.

9.0 Principle of Development

9.1 Section 2 of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. To achieve this the planning system has the three overarching objectives of economic, social, and environmental elements which are interdependent and need to be pursued in mutually supportive ways.

9.2 At the heart of the Framework is a presumption in favour of sustainable development which for decision making means that development proposals that accord with the Development Plan should be approved without delay, but where the Development Plan is absent, silent or relevant policies are out of date, LPAs should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Paragraph 11 of the Framework does includes a caveat (footnote 7) stating the presumption in favour of sustainable development does not apply where specific policies provide a strong reason for refusing the development, which includes development within Green Belt, designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75).

9.3 The application site is located on land outside of a settlement hierarchy outside of the settlement hierarchy outlined in Policy BDP2 Settlement Hierarchy.

9.4 The proposed development is intended to serve as infrastructure supporting the National Grid network and therefore, it is considered the relationship with National Grid infrastructure (in this case the Kitwell substation) is the determining factor in identifying an appropriate location for this type of development. It is acknowledged that the location of a battery storage site is unlikely to be accommodated within designated settlement areas where the availability of land is typically more constrained. However, the requirement to be near National Grid infrastructure does not completely discount the possibility of a settlement location or serve to demonstrate a countryside location is inherently essential.

9.5 Policy BDP22 focuses on how the Council will deliver viable low carbon climate resilient developments. Specifically, the policy goes on and states that the Council will support low carbon energy generation schemes when adverse impacts are addressed satisfactorily.

9.6 Section 11 of the Framework 'Making effective use of land' sets out that planning policies and decisions should promote an effective use of land including making as much use as possible of previously developed or brownfield land (paragraph 124). Also that policies and decisions should "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and supporting opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land" (Framework paragraph 125(c)). As set out elsewhere this site falls wholly within the Green Belt and as such there are no brownfield regeneration benefits arising from this proposal which can be given positive weight in the overall planning balance.

9.7 At national level, whilst there is no specific policy for BESS development in the Framework, there are policies for mitigating the impacts of climate change and specifically relating to the development of renewable energy projects. These are set out in the Framework in Chapter 14: Meeting the challenge of climate change, flooding and coastal change with Paragraph 161 confirming that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. There is a strong strategic policy framework which supports renewable and low carbon development proposals. The Framework also confirms in paragraph 168 that applicants are not required "*to demonstrate the overall need for renewable or low carbon energy"*.

9.8 It is of note that the Framework revisions in December 2024 highlighted a stronger focus on tackling climate change to algin with the government's push for renewable energy in order to help achieve the net zero targets. These include:

- Paragraph 161 references the UK's legally binding target of achieving net zero by 2050;
- Paragraph 168 sets out points which LPAs should consider when determining planning applications for renewable energy development and confirms significant weight should be given to the benefits associated with renewable and low carbon energy generation;
- Paragraph 169 sets expectation that LPAs should identify areas for renewable development;
- Amends footnote 65 which address agricultural land, and
- Paragraph 155 introduces the concept of 'grey belt' land – this is discussed in detail in the Green Belt section below

9.9 The Planning Policy Guidance on Renewable and Low Carbon Energy provides further guidance on considering and determining developments for renewable energy. As established earlier the PPG carries the same weight in decision taking as the Framework.

9.10 The PPG contains a section specifically dealing with battery energy storage systems setting out that:

9.11 Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity.

9.12 The PPG does not provide any specific information on battery storage in terms of siting stating that there are no hard and fast rules on how authorities should identify suitable areas for renewable energy. It advises local authorities to consider potential impacts of developments on the local environment and the views of local communities.

9.13 Whilst developers and LPAs are encouraged in the PPG to consult their local fire and rescue service on planning applications for BESS schemes, it should be noted that fire and rescue services are not statutory consultees. Updates to the PPG refer to guidance on grid-scale BESS by the National Fire Chiefs Council and comments received from the Fire Service in relation to this application are covered under a separate heading in this report.

9.14 There are a number of Government documents that reference Climate Change and Energy requirements – the documents are noted below. The Clean Power 2030 Action Plan (Dec 2024) is the most recent Government document, which provides significant information on the unmet need for power in the UK.

9.15 In 2019 Bromsgrove District Council and many other Councils across the country declared a climate emergency. The Council made a commitment to reduce carbons emission by 50% by 2030 and achieve Net Zero by 2040[1]. A Carbon Reduction Strategy and Action Plan has been produced by the Council with the latest version 6.1 being published in November 2024[2]. Within this document one of the actions and measures is to: “Review Local Plan where there is particular reference to renewables /provision for renewables in the future or heat networks”.

.

9.16 National Grid’s Future Energy Scenarios Report (2024) - the report notes there is currently 4.7GW of operational battery storage in the UK, with an expected 36GW of energy storage requiring installation by 2050 in a best-case scenario attainment of net zero. Electricity storage capacity is required to increase in all scenarios to ensure that demand can be met reliably in peak times as an increasing proportion of the UK’s electricity is generated from renewables. National Grid expects battery storage to make up the largest portion of storage power capacity in all scenarios by 2050.

9.17 Energy White Paper: Powering our Net Zero Future - A key objective of this paper is the necessity to move towards a smarter electricity system, where electricity markets are required to adapt to the deployment of renewable energy generation

[1] https://www.bromsgrove.gov.uk/council/policy/climate-emergency/
[2] Bromsgrove Carbon Reduction Strategy_November 2024 10122024 Cabinet.pdf

increases. The report states that electricity demand could double by 2050. Thus requiring an increased renewable energy output to accommodate for the shift in electric consumption.

9.18 Climate Change Act 2008 (2050 Target Amendment) Order 2019 - This act introduced the UK's statutory target to reduce its carbon dioxide emission to below 80% of the country's 1990 levels by 2050. The main energy generation production in the UK is dependent on Coal, Oil and Gas. The need to comply with the legal requirement to become carbon neutral by 2050 places a statutory requirement on the planning system to deliver a greater number of renewable energy generation sources and associated infrastructure required to support the grid.

9.19 National Policy Statement for Energy (EN-1 & EN-3) -EN1- The NPS states that substantial weight should be given to low carbon renewable energy projects when considering applications due to the urgent need for them and concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure to meet national security and net zero aims. EN3 - states that The Committee for Climate Change (CCC) has identified a need to deploy 54GW of solar by 2035 to keep on track to deliver net zero by 2050 which equates to roughly 40GW of solar by 2030.

9.20 British Energy Security Strategy (April 2022) – notes long-term solutions to address the UK's underlying vulnerability to international oil and gas prices by reducing our dependence on imported energy. It highlights the necessity for a secure, home-grown, reliable flow of affordable energy. There is a need for domestic supply of clean and affordable electricity will require accelerating the connecting network infrastructure to support it. Within this decade two key features will be prioritised: anticipating need because planning ahead minimises cost and public disruption; and hyper-flexibility in matching supply and demand so that minimal energy is wasted. A more efficient, locally responsive system could bring down costs by up to £10 billion a year by 2050.

9.21 Net Zero Strategy: Build Back Greener – outlines a strategy for reducing emissions from each sector of the economy and sets a delivery pathway showing the reduction of emissions across sectors to meet targets by the sixth carbon budget (2033- 2037) to reach net zero emissions by 2050.

9.22 Clean Power 2030 Action Plan – to tackle three major challenges: the need for a secure and affordable energy supply, the creation of essential new energy industries, supported by skilled workers in their thousands, the need to reduce greenhouse gas emissions and limit our contribution to the damaging effects of climate change. It is estimated that electricity demand could rise by around 11% by 2030, and flexible capacity, including 23-27 GW of battery capacity and 4-6 GW of long-duration energy storage will be required by 2030. Currently, for energy storage, there is estimated to be around 5GW.

9.23 As noted, the Clean Power 2030 Action Plan is one of the key documents that is anticipated to be used by Developers, Businesses, Policy Makers, Councils etc to assist in the delivery of clean electricity power. The provision of clean electricity power is considered an urgent priority by the Government.

9.24 It is evident from all the above documents/guidance that there is a need to deliver improvements to energy efficiency and energy management. Managing the National Grid is of upmost importance, requiring the necessary infrastructure—such as this development—to provide essential support to the electricity grid. Although most of these documents are not explicitly planning policies (aside from the National Policy Statement for Energy), they are high-level strategic Government documents/frameworks with a clear intent, making them a material consideration in the planning decision-making process.

9.25 The proposal is considered to be fully in line with the principal policies in the District Plan, and with National Planning Policy and other National Policy.The National Planning Policy Framework explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. Consequently, these benefits, that support the provision of battery storage and assist in the delivery of renewable energy, are of substantial weight in favour of the scheme.

10. Potential of Cumulative Impact

10.1 The proposed scheme represents one of three similar developments in the surrounding area. Details of the other schemes are outlined in the Other Relevant Planning History section above,

10.2 The potential for all three battery storage sites to be delivered within the locality is acknowledged, however it is not considered this factor represents a justifiable basis as a reason for refusal for this application. For that to have any merit it would be important to capture what the impact might be from installing and operating all sites together. That said, it is important that every application is assessed on its own merits. Where it is possible to capture any in-combination effects such as the impact on the local road network or character and appearance of the area, this report assesses that impact in the relevant sections below.

10.3 As part of the consideration of this planning application, it is not considered appropriate to factor in the potential cumulative impacts of other BESS development (or any other development) that is not even subject of a planning application and even if a planning application was received, not granted or being built out.

11.0 Green Belt and Grey Belt

11.1 The application site is within the Green Belt. The main issue in establishing the principle of the development is firstly, whether or not the proposal constitutes inappropriate development in the Green Belt for the purposes of BDP 4 Green Belt and the Framework. Secondly, if the development is inappropriate, whether the harm by reason of inappropriateness, and any other identified harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

11.2 Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 outlines a list of exceptions where development may be acceptable in the Green Belt, and these align with BDP4, it is noted that there are now further exemptions since the Framework was amended in December 2024 in paragraph 155 which are not reflected in BDP4.

11.3 There are further potential exceptions to development being treated as defined as inappropriate with in the amended Framework, namely whether the site amounts to 'Grey Belt' as defined in the Framework and if so whether certain criteria are met. If met this means development is not inappropriate and there is no need to demonstrate very special circumstances.

11.4 In relation to BDP4, the proposed BESS facility would not fall within any exceptions listed within the policy criteria. In this regard the proposal is a departure from the development plan and on the basis that it would be considered inappropriate development in the Green Belt.

11.5 However, as explained the Framework is a significant material planning consideration, and its policies and guidance must be applied in decision making as a matter of law. The amended Framework published and adopted by the Government on 12 December 2024 introduced the concept of Grey Belt land as a further important material planning consideration when considering proposed development in the Green Belt. Policy BDP4 as it was adopted prior to the amended Framework does not address Grey Belt as a potential exception and to that extent it no longer fully aligns with the Framework.

11.6 In accordance with the guidance in the Framework and caselaw this affects the weight that should be given to the fact that the application does not meet BDP4 which is a key relevant policy. Consideration must be given therefore to whether the Grey Belt exemption applies as well as other relevant policies and guidance within the Framework.

Grey Belt

11.7 Development in the Green Belt is inappropriate unless one of the exceptions listed in paragraph 154 of the Framework applies. However, paragraph 155 indicates that:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan,
b) there is a demonstrable unmet need for the type of development proposed,
c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework, and
d) where applicable the development proposed meets the "Golden Rules" requirements set out in Framework paragraphs 156 and 157.

11.8 The Glossary to the Framework defines Grey Belt as,
"…Grey Belt is defined as land in the GB comprising previously developed land (PDL) and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in NPPF paragraph 143. Grey Belt excludes land where the application of the policies relating to the areas or assets in Footnote 7 (other than GB) would provide a strong reason for refusing or restricting development."

11.9 Footnote 7 refers to Framework policies, rather than those in development plans, relating to: habitats sites, and those sites listed in paragraph 194, and/or designated as Sites of Special Scientific Interest; land designated as GB, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and other heritage assets of archaeological interest referred to in Footnote 75; and areas at risk of flooding or coastal change.

11.10 In this case, the site is not PDL, however, to determine whether the site falls to be considered as Grey Belt, the site has to pass the test of whether the land, does not strongly contribute to Purpose a - to check the unrestricted sprawl of large built-up areas, Purpose b - to prevent neighbouring towns merging into one another listed in Framework paragraph 143 and Purpose d - to preserve the setting and special character of historic towns.

Purpose a – Sprawl

11.11 The evidence base for the District Plan review, included a Green Belt Purposes Part One Assessment (2019) (GBPPOA), which assessed how land within the Green Belt contributes to the purposes of the Green Belt. The site is located within Parcel N5 named West of the M5, East of B4551 at Romsley. The assessment concluded that made a strong contribution to Purposes a, b and c and not applicable to purposes d and e. However, due to the size of the parcel this does not assist in assessing the effect of the development on Green Belt purposes. Whilst the Council acknowledge this work as an evidence base, it dates from 2019 and was commissioned for plan review purposes against the backdrop of a previous version of the NPPF. The Part 1 Assessment is the first stage in a wider process of Green Belt and site allocation work. This document does not, and is not intended to, justify the release of land from the Green Belt and it does not consider the development potential of land. It was purely intended to establish a baseline of how the Green Belt currently performs and was a starting point for more detailed site assessment and Green Belt assessment work to follow. The assessment was undertaken at strategic level. It is acknowledged that there will be differences in how the land parcels perform against the Green Belt Purposes at the strategic stage in Part 1 of the Purposes Assessment, versus how individual sites within those land parcels perform through detailed site assessment. Overall, the Council consider this document has no relevance in the specific assessments of individual sites as required under the 2024 NPPF and set out in the Grey Belt PPG.

11.12 The Framework does not contain a definition of what might constitute sprawl. Concluding on whether the development would conflict with Purpose a, depends on the relationship of the site with the large built-up area. The GBPPOA 2019

refers to Halesowen and describes the A456 as a “strong defensible boundary.” The proposed development is in open countryside some 2km away from the A456 and therefore in spatial terms, is separated from an existing built-up area and does not present an extension of Halesowen beyond its current boundary. It is also physically separated from the ribbon development along the B4551 Bromsgrove Road (Hunnington), in both instances it cannot be described as urban sprawl. As such, the development would be physically and visually discrete from the large built-up area. In this context, the site does not strongly contribute to Purpose a.

Purpose b – Merging

11.13 The proposal would result in physical development in the N5 parcel. Therefore, in the strict sense of this purpose, the proposal would not in itself lead to the merging of neighbouring towns. The countryside and open land between towns (in this case Halesowen and Birmingham) is always under pressure from development and it is rarely the case that a single development, on its own, would cause neighbouring towns to merge. However, such areas could be lost incrementally and, over time, lead to the merging of neighbouring towns.

11.14 In this case, albeit temporarily, there would be a loss of Green Belt land between the towns of Halesowen and Birmingham. This would result in a minor, temporary reduction, in the gap between these towns. Therefore, the proposal would not contribute to the possibility of these towns merging. However there is significant open land remaining between the site and these towns (even after taking into account the other approved schemes in the area). In both spatial and visual terms it is noted that the gap between Halesowen and Birmingham is made up of a combination of Parcel N5 and other adjoining parcels within the Green Belt which together prevent the merging of neighbouring settlements. The gap function of other parcels within the Green Belt will continue, regardless of the proposed development. There is very limited visibility of the site, and the BESS would have no material impact on the perception of the gap. In this context and given the proposal would be temporary and would not lead directly to the merging of neighbouring towns, the site does not strongly contribute to Purpose b.

Purpose D - To preserve the setting and special character of historic towns

11.15 This is not relevant.

Conclusion on Grey Belt Status

11.16 The proposal site does not strongly contribute to any of the three Green Belt purposes required to be considered in a Grey Belt assessment, this is clearly demonstrated above.

11.17 When considering the application of the policies in footnote 7 of the Framework (other than Green Belt) it is not considered that these provide a strong reason for refusing the development. There is an extensive discussion on heritage matters elsewhere in this report and it is concluded that whilst concerns have been raised by heritage advisors these do not provide a strong reason for refusing or restricting the development as set out in the application documentation.

11.18 On this basis, and in line with the definition of Grey Belt in the Framework (i.e. …..land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.) that the site is considered Grey Belt land.

Paragraph 155 Grey Belt Criterion A

11.19 This criterion requires that the development proposed would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan (not just this application site). I take this to mean an assessment of the proposal against all 5 of the purposes of the Green Belt. Criteria a, b and d have already been assessed above however this leaves the other 2 criteria in paragraph 143 to be applied.

11.20 With regard to Green Belt purpose (c), namely, safeguarding from encroachment, it is accepted that the spatial occupation of the site would clearly encroach into the countryside. However, in relation to the wider parcel of Green Belt which forms the strategic function, within which the site lies, the comparatively small nature of the site itself is such that the harm resulting from encroachment would be negligible when tested against the contribution of the larger parcel to the Green Belt across the area of the Local Plan. Thus, the proposal would not undermine this purpose.

11.21 Regarding Green Belt purpose (e), namely, assisting urban regeneration by encouraging recycling of derelict and other urban land, reference should be made to an Alternative Site Assessment (ASA) submitted in support of this application. In the absence of an alternative site, there would be no conflict with Purpose e to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

11.22 Whilst there is no requirement in local or national policy for an ASA, as each application is assessed on its own merits, it can form a basis for demonstrating ‘very special circumstances’ to justify Green Belt development. This has been carried out by the applicant and submitted as part of this proposal.

11.23 Focus is given to deliverable and available sites, sites over 1ha in area to accommodate the development. A range of technical, environmental and economic factors were also utilised when assessing suitable sites for the proposed development. This included proximity to sensitive receptors, access and feasibility site size and shape, development plan policy, agricultural land quality, landscape and visual impact, nature conservation and potential for enhancement flood risk; land availability and ground conditions.

11.24 The starting point for this assessment is the connection point to the grid. In this case, the site is positioned adjacent to the substation, so requires minimal disturbance to connect to the grid. The ASA found that the sub-stations that are not in the Green Belt cannot support a BESS scheme. Furthermore, out of the Green Belt options, the application site is identified to be free from substantial connection constraints and would be capable of suitably sized BESS development

without the need for significant substation upgrades and reinforcement works. As such, this is a viable and suitable option.

11.25 When considering all the necessary requirements to facilitate the development of a BESS including proximity to a grid point of connection, commercial requirements, buildability considerations and planning restrictions, the selection of this site to accommodate the proposed development is a reasonable conclusion set against the criteria.

11.26 In these circumstances, the proposed development would not fundamentally undermine this purpose of Green Belt criterion (e) i.e. assisting in urban regeneration, by encouraging the recycling of derelict and other urban land.

11.27 Drawing all the above matters together, it is concluded that the development would not fundamentally undermine, the purposes when taken together of the remaining GB in the plan area. Criterion A of paragraph 155 is met.

Paragraph 155 Grey Belt Criterion B

11.28 This criterion requires that there is a demonstrable unmet need for the type of development proposed. The consideration that a BESS project fulfils this requirement and has been substantiated through appeal case law, including in local decisions as outlined above.

11.29 A number of objection representations note that applications for BESS are being considered on an individual basis and that is there is no clear strategy of where these BESS facilities should be located and how many of these BESS facilities are needed, if they are needed at all.

11.30 In the Clean Power 2030 Action Plan it is noted the amount of energy storage that is required by the Government, which is 23-27 additional GW of energy storage by 2030 to meet the Government targets, with it noted that only 1.7GW was installed in 2023. There is no clear strategy set out in any of these Government documents of how and where this will be achieved. The industry and developers are responding to the Governments targets by the submission of these BESS applications. At some point, there may be sufficient BESS connection, with the need for BESS waning, but currently the demand is high for such facilities and the unmet need is apparent in the UK.

11.31 There is a very clear steer from Government to promote renewable technology in order to meet net zero ambitions. A recent allowed appeal decision for a BESS Staffordshire Moorlands District Council (Appeal Ref: APP/B3438/W/24/3351328) sets out in paragraph 26 that *“The need to reduce carbon emissions from energy is of fundamental importance and well documented” and furthermore in paragraph 28 that “Storage is needed to reduce electricity system costs and increase reliability by storing surplus electricity in times of low demand to provide it when demand is higher.”*

11.32 There is substantial information within the National Government documents (referred to above) and within the applicants’ supporting statements that the need

is unmet. As a Council, we have not yet determined the Bromsgrove District requirements/contribution to this unmet need – this would normally be undertaken through the Local Plan process (which would also consider the allocation of sites/criteria for the unmet need). In the absence of an up-to-date Local Plan and/or any other evidence, the need for battery energy storage systems is considered to be unmet. Furthermore, whilst a material consideration, the Clean Power 2030 Action Plan does not override established policy on BESS. EN-1 states that "it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by the NPS" and "the Government does not consider it appropriate for planning policy to set limits on different technologies".

11.33 Further detail is provided in Very Special Circumstances section below and concludes there is a demonstrable need for the type of development proposed (BESS).

Paragraph 155 Grey Belt Criterion C

11.34 This criterion requires that the development would be in a sustainable location through limiting the need to travel and that sustainable transport modes are prioritised. This is in relation to development that would generate significant level of vehicle movements, particularly by car. As discussed in the Highway section of this report, this level of traffic movement is not significant, nor would it have an unacceptable effect of highway capacity or safety.

11.35 The location of the BESS facility is limited by the factors addressed in the Alternative Site Assessment and, as above, it is accepted that the proposed development site is the only appropriate location. In the context of the development type, the location is considered sustainable and meets this criterion.

Paragraph 155 Grey Belt Criteria D

11.36 Criterion D refers to housing development and the 'Golden Rule' does not apply.

Conclusions on Grey Belt Exemption

11.37 The relevant criteria contained in Framework paragraph 155 are met and this development therefore does not fall to be considered as inappropriate development in the Green Belt. As the development is considered to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt (or to the purposes of including land within it, as explained).

11.38 Having regard to all the above it is concluded that the application is considered to meet the exception in paragraph 155 of the Framework and is not considered to be inappropriate development in the Green Belt. Therefore, as a matter of principle, it does not conflict with Policy BDP4 or the Framework.

11.39 As the development is not considered to be inappropriate there is no need to assess openness or to demonstrate very special circumstances to justify the proposal.

11.40 However, for robustness and completeness, should Members disagree with the above assessment and conclude that the development does not fall within the Grey Belt exception and the development must therefore be treated as inappropriate development in the Green Belt, then the following assessments on impact on openness and landscape harm as well as whether very special circumstances can be demonstrated have been undertaken.

Impact on Openness

11.41 Paragraph 142 of the Framework states that, 'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

11.42 The proposed development would occupy an area of undeveloped land. While some land will be used for landscape and ecological enhancement, the development is highly functional and utilitarian. Most structures will be below 3m in height. Although the development is contained within existing and proposed planting, including reinforced landscaped boundaries, it would result in a loss of spatial openness due to its extent and spread.

11.43 In terms of the visual dimension of openness, existing mature planting, although helping to filter views into the site, does not presently effectively screen the site and the proposal would represent a contrast to the undeveloped agrarian landscape, including a few glimpsed views through trees on Illey Lane and from the public footpath to the west and south of the site. The localised visual effect would increase during the winter months although the existing strong mature planting and its reinforcement and enhancement by new landscaping would mean that the development would be viewed through several layers of planting. Notwithstanding, from close distances, including along existing public footpaths, the visual effects would be considerable as it would still result in a change from an agricultural landscape to a more industrialised and utilitarian landscape.

11.44 From further afield, the proposal would occupy a relatively small area of land in the overall landscape.

11.45 Due to a mix of topography and existing and proposed planting, the effects of the development when viewed from the north and east would be relatively imperceptible. There would be inevitable glimpsed views from longer vantage points but these would be at a distance, and would be filtered through topography, existing vegetation and the increasing establishment of new planting over time.

11.46 In this context, the development would remain visible from a number of viewpoints and although the mitigation would temper the effects, due to the scale of the proposed development and its intermittent visibility particularly at certain times of the year, there would be a considerable loss of openness in terms of the visual and spatial dimensions of the Green Belt. Nevertheless, the impact on the Green Belt would not be permanent. However, if the site was no longer needed during the 35 years or at the end, it would be relatively straightforward to remediate the land to its existing state. This would be included as a condition to ensure the

development would not become a permanent feature in the landscape if it no longer in use during the 35 years or at the end of the 35 years.

11.47 Overall, the proposal's effect on the openness of the Green Belt expressed in terms of its spatial and visual dimensions, despite the time limit of 35 years which in any event, would constitute a generational negative change, would amount to a considerable harm to loss of openness on a temporary but long-term basis. This would conflict with the Green Belt's purpose to safeguard the countryside from encroachment and conflict with policy BDP4.

11.48 As stated in paragraph 160 of the Framework, when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

11.49 The proposal is inappropriate development in the Green Belt. This is, by definition, harmful to the Green Belt. The development would also cause some harm to the openness of the Green Belt and by causing some degree of encroachment into the countryside would conflict with one of the purposes of including land in the Green Belt. In line with paragraph 153 of the Framework, the harm to the Green Belt from these matters results in substantial weight against the proposal. The proposal would not accord with BDP4 or the Framework outlined above.

Very Special Circumstances

11.50 It may be noted that the Framework at paragraph 160 notes that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

11.51 Consideration has been given earlier in respect of whether there is a demonstrable unmet need for the type of development proposed in the context of meeting Grey Belt criterion B.

11.52 The battery units would store surplus electricity, including that produced from renewable technologies. Surplus power would be released to the electricity grid for consumption during times of under-production from renewable energy technologies. By storing electricity and facilitating a decrease in the need to produce energy from fossil fuels sources during periods of under supply. The proposed battery storage facility would align with the principles of low carbon technology. There is a clear relationship between the amount of renewable energy generation and energy storage contributing to a faster transition to Net Zero.

11.53 This would support energy security and reduce exposure to volatile international fossil fuel prices, by harnessing abundant renewable and low carbon resources. The BESS facility would contribute to the UK's target to decarbonise the power

system supporting the aim in paragraph 161 of the Framework "The planning system should support the transition to net zero by 2005……. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience"

11.54 Paragraph 168 of the Framework outlines that when determining planning applications for all forms of renewable and low carbon energy developments and their infrastructure, the Local Planning Authority (LPA) should:

a) Not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future;
b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;
c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

11.55 The increasing dependence on renewable energy and in particular wind and solar energy has led to fluctuations in supply dependant on the weather, hence the increased need for storage facilities. These store excess energy at times of high renewable generation and provide somewhere to get energy from when demands are high, and generation output is low.

11.56 The provision of low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the Framework. There is strong national policy support, from the Government's Energy White Paper (EWP) and National Policy Statement EN-1 (NPS), for the development of battery storage, which would aid in the storage of energy generated from renewable sources which by their nature, intermittently generate energy.

11.57 Within the Overarching National Policy Statement for Energy (EN-1) the Government concludes Critical National priority (CNP) should be given to the provision of nationally significant low carbon infrastructure. For projects which qualify as CNP Infrastructure, paragraph 4.1.7 states "*it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero"*.

11.58 Due to its isolated location the proposed BESS facility would not possess residual impacts with human health and public safety implication. Furthermore, the site has not been identified to contain irreplaceable habitats.

11.59 The provision of low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the Framework and the proposals do provide wider environmental benefits associated with

increased production of energy from renewable sources. Very substantial weight is given to this benefit.

11.60 Policy BDP22 focuses on how the Council will deliver viable low carbon climate resilient developments. Specifically, the policy goes on and states that the Council will support low carbon energy generation schemes when adverse impacts are addressed satisfactorily.

11.61 The application states that the battery storage would contribute to energy security by providing a storage, import and export capacity. The facility would provide a means of storing energy, to be released when need arises and so provides a vital element of infrastructure which supports the use of intermittent renewable energy, allowing renewable power to be utilised when it would otherwise be wasted i.e. when generation exceeds demand.

11.62 The proposed scheme would therefore make a valuable contribution to cutting greenhouse gas emissions, by increasing the opportunity to store energy. The national support for such schemes is caveated by the need for the impacts to be acceptable, or capable of being made so. Nevertheless, the energy benefits of proposal, both in terms of its contribution towards energy security and resilience and the reduction in greenhouse gas emissions, must be accorded very substantial weight.

11.63 There are other benefits in terms of comprehensive landscaping scheme which has a beneficial impact in terms of vegetation cover and landscape character for the area. The urgent need for battery energy storage technology across the grid and the locational constraints associated with this type of technology, which mean that points of connection are a rarity.

11.64 The applicant has also ensured that the proposed development has provided at least 10% Biodiversity Net Gain onsite. The proposed development will result in a net gain of 5.33 habitat units (46.44%), 1.87 hedgerow units (25.59%) and 0.30 watercourse units (14.24%).

11.65 The economic benefits of the proposal include a significant financial investment into the local and wider economy with jobs (both direct jobs on-site and indirect/induced roles) being created during the construction period.

12.0 Impact upon Landscape Character

12.1 Paragraph 187 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

12.2 Policy BDP1 Sustainable Development Principles seeks the quality of the natural environment including any potential impact on biodiversity, water quality, geodiversity, landscape and the provision of/and links to green infrastructure (GI) networks. Policy BDP21 Natural Environment states that the Council will seek to achieve better management of Bromsgrove's natural environment by expecting developments to protect and enhance the distinctive landscape character of

Bromsgrove, as identified in the Worcestershire Landscape Character Assessment, and take account of the Worcestershire Landscape Character Assessment Supplementary Guidance.

12.3 The site is situated in a single field between Goodrest Farm and Illey Lane, within a wider landscape east of Bromsgrove Road. The site is well-screened due to hedgerows, hedgerow trees, tree belts, and wooded streams. A dismantled railway forms a distinct sinuous feature, separating the site from residential properties on Bromsgrove Road and filtering direct views of the proposed development. Illey Lane, a minor road to the north and east, channels views due to roadside vegetation, with high hedges or tree belts restricting views towards the site. There are Public Rights of Way (PRoW) with potential visibility of the site throughout the wider area occur. Where these occur they are likely to be on higher ground, above, over or between intervening features in the landscape. At lower levels, including views from close and medium range, are often contained by boundary hedgerows restricting visibility to a single field or the next. The proposed development would introduce battery units and a substation enclosed by fencing and tree/hedgerow buffer to provide screening to mitigate the visual impact.

12.4 A Landscape and Visual Appraisal (LVA) has been submitted. In terms of landscape effects on all the identified landscape receptors, these ranged between Negligible Adverse and Moderate Adverse. Moderate adverse effects are expected for the site and its immediate context during the construction and early operational phase of the proposed development in the short to medium term. The long-term landscape effect of the proposed development is assessed as no greater than Minor Adverse.

12.5 In relation to visual effects, for the construction phase these were assessed as Moderate Adverse, Minor Adverse in the early operational phase (with developing mitigation) and remaining at a Minor Adverse effect following mitigation. For medium and long-range receptors, the difference in effect between construction and operational phases would be less evident than close range receptors. For medium range receptors, long term effects were within the range of Minor to Negligible Adverse, for long range receptors would be no greater than Negligible Adverse.

12.6 All these matters have been assessed in detail in the LVA. The WCC Landscaping Adviser has reviewed the Landscape and Visual Appraisal and overall support the findings set out for landscape and visual impacts and consider the viewpoints selected for assessment to be appropriate. The Advisor does acknowledge the wider risk with this scheme and the potential for cumulative effects when it is considered in context with the similar developments along Illey Lane in short, there is a risk of the overall setting becoming urbanised. However, following the submission of further work regarding this matter (in the form of an Addendum to the LVA), given the scale and location of these approved developments the cumulative effects it is agreed that no cumulative landscape effects are expected between the proposed development other development nearby.

12.7 Overall, the proposed BESS would result in Moderate/Minor Adverse landscape and visual effects contrary to the objectives of development plan policy. These

effects would be temporary and with mitigation would, in the short term, be materially reduced. In the long term once the site had been restored, the mitigation planting would have beneficial landscape and visual effects.

13.0 Loss of Agricultural Land

13.1 Paragraph 187b of the Framework states that decisions should "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".

13.2 Framework Paragraph 188 and associated footnote no.65 states that 'plans should…distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Whilst this paragraph relates specifically to allocating land for uses such as housing or employment as part of plan making, it is considered that it can equally apply to decision making, particularly for large developments. It is worthy of note that the latest version of the Framework against which decisions are to be made has removed the availability of agricultural land use for food production to be considered against other relevant policies both nationally and locally.

13.3 Best and Most Versatile (or BMV) land is defined within the Framework as land in grades 1, 2 and 3a of the Agricultural Land Classification. An Agricultural Land Classification and Soil Resources has been carried out by Reading Agricultural Consultants. This identifies that the site comprises 2.1ha (55%) of Grade 3a (good quality), 1.5ha (40%) of Grade 3b (moderate quality) land and 0.2ha (0.5%) as non-agricultural.

13.4 There is no definition of 'significant development of agricultural land' in planning guidance or legislation although it is noted that Natural England are only consulted where there would be a loss of more than 20ha of BMV land (DMPO 2015). The quantum of BMV within the site is 10.5% of the threshold which requires consultation with Natural England. It is therefore not considered to be significant development in that regard.

13.5 The development would therefore result in the temporary loss of 2.1ha of BMV. The site is agricultural fields in pastoral use and is not used for food production. There is no evidence that the land should be kept available for food production in Bromsgrove or the wider area.

13.6 Whilst there can be economic and other benefits of the best and most versatile agricultural land, in this case its loss would not cause harm to the overall supply or availability of land for food production and the proposed use is a form of rural land diversification that can complement or support farming of the wider area including the remaining fields within the applicants' ownership.

13.7 It is considered that the proposed development, given that it is time limited and could be reversed in future, is unlikely to lead to significant permanent loss of BMV agricultural land as a resource for future generations. Although it is accepted that the development would prevent any food production taking place on this particular site for the lifetime of the development, it is not anticipated that the temporary loss of this land would compromise the District's overall farming ability.

14.0 Highways, Access and Parking

14.1 In line with paragraphs 111 and 112 of the Framework, the impact of development proposals on the highway network should be considered. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.2 Policy BDP16 Sustainable Transport requires that 'Development should comply with the Worcestershire County Council's Transport policies, design guide and car parking standards, incorporate safe and convenient access and be well related to the wider transport network'.

14.3 A Transport Statement (TS) has been prepared by Local Transport Projects Ltd to assess the impact of the proposed development on the local and wider highway network and to assess the safety and suitability of site access arrangements.

14.4 Vehicular access to the site is to be provided via an existing field access connecting with Illey Lane on the north-eastern site boundary, which is expected to be widened as part of the development to accommodate large construction vehicle movements. The access is expected to be utilised during the construction, installation, and maintenance periods. Vehicle parking for site workers during all stages of construction and operation will be accommodated on-site with no vehicles allowed to park or wait on the adjoining highway network during any stage of the development

14.5 The delivery and construction/installation period of the proposed BESS is expected to take place over a nine-month period. During this period, there would be trips associated with the arrival and departure of construction staff and the delivery of parts and construction materials. A Construction Traffic Management Plan has been as part of the application. The BESS would operate, generally, on an unmanned basis, however it is understood the facility will generate between 10 and 20 trips per month to support site operations and maintenance activities. These trips will be made by car and/or light vans.

14.6 The Highway Authority does not object to the proposals subject to conditions that: the site access arrangement be provided in accordance with full construction details to be submitted to and approved, a highway dilapidation survey, the suitable drainage and surfacing of roads, and adherence to the submitted CTMP. It is considered reasonable and necessary that these conditions should be attached to any permission

14.7 On the basis, it is considered that there would be an acceptable impact on highway safety subject to conditions, it is considered that there would not be an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network.

15.0 Neighbouring Amenity and Public Health

15.1 Policy BDP19 seeks to protect the amenity of nearby residents and requires that developments likely to generate noise are directed to appropriate locations away from noise sensitive areas. Paragraph 180 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by (amongst others) preventing new development from contributing to unacceptable levels of soil, air, water or noise pollution.

15.2 Framework Paragraph 198 states that, *'Planning policies and decisions should… a) 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 'b), identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason…'.*

15.3 The application is supported by a noise assessment by e3P. This has been reviewed by WRS Noise. The output from the modelling indicates that daytime rated levels should not significantly impact on (Noise Sensitive Receptors) surrounding the development and that nighttime similarly should not be significant. As the predictions are based on assumed input levels, it is necessary to ensure that when constructed, that the actual noise levels are not higher than this. It is therefore suggested by WRS Noise that this be controlled by condition including the post installation verification of noise levels and amelioration measures if that is the case. As such, the distance of the nearby properties is considered sufficient to avoid any detrimental noise impacts arising from the proposal.

15.4 The application includes a Contaminated Land Report to provide advice regarding the nature and potential significance of contaminated land hazards which may be present at the study site. WRS Contamination have reviewed this and have no adverse comments to make.

15.5 In relation to battery waste, the disposal of battery units is governed by the 'Waste Batteries and Accumulators Regulation 2009 (amended)'. This establishes a framework for the separate collection, treatment and recycling of waste industrial, automative and portable batteries. As part of this, it is:

- Compulsory to collect/take back and recycle batteries and accumulators.
- A requirement to prevent batteries and accumulators from being incinerated or dumped in landfill.

15.6 In summary, any batteries which reach their end of life will be sent to regulated waste recycling facilities which hold environmental permits with the Environment Agency. At these facilities, they will be recycled in accordance with the above

Regulations. In this respect, there is not a scenario in which old batteries would be stored inappropriately or put the local environment at risk.

15.7 A decommissioning condition was proposed originally as part of condition 3. However on further consideration a dedicated condition has now been included as condition 4, this is proposed to ensure that decommissioning issues are considered early into the 35 year operation of the site.

16.0 Ecology and Biodiversity

16.1 Biodiversity Net Gain (BNG) is legislation that was put forward by Government. BNG is an approach to development. It makes sure that habitats for wildlife are left in a measurably better state than they were before the development. In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development. This should ideally be provided onsite however a developer is able to purchase offsite credits for BNG elsewhere should it not be possible to provide onsite.

16.2 Habitats are assigned a value based on their intrinsic biodiversity value or 'distinctiveness', which is predefined for each habitat within the metric. This value is then multiplied based on the size, condition and geographical location of the habitat in order to ascertain its absolute value in 'biodiversity units'. Separate calculations are used within the metric for area, based habitats, linear habitats (such as hedgerows) and watercourses (including ditches and streams). These units are non-transferable and must therefore be considered individually for each project or development. Collectively, they are referred to as 'biodiversity units'.

16.3 The Biodiversity Metric Report has been updated to reflect the changes to the proposal. This indicates that BNG will be delivered wholly on site for this application, and the resultant expected gains that the proposed development a total gain of 4.44 habitat units (40.34%), 1.87 hedgerow units (25.59%) and 0.30 watercourse units (14.24%). Comments have been received regarding whether it is appropriate to include the SUDS as part of the BNG calculations. It's considered primary use is a Sustainable Urban Drainage System, 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 create or enhance for a minimum of 30 years. These habitats will be subject to a monitoring schedule that ensures they achieve the target condition and distinctiveness that was stated in the Biodiversity Metric.

16.4 A Preliminary Ecological Assessment identified the ecological constraints of the site and recommended mitigation. A GCN eDNA survey also confirms that pond WB1 tested negative for the presence of great crested newts.

16.5 Implementation of these mitigation measures will ensure that there are no adverse ecological impacts from the proposed development.

16.6 The Council's Ecologist is satisfied with the assessment of impacts relating to protected species and designated wildlife sites. It is also considered that the biodiversity net gain can achieved on site and constitutes a significant gain in relation to the baseline habitats. The Ecologist agrees with the measures detailed in the habitat management plan and would seek to secure the implementation of this plan. The Ecologist has also outlined relevant conditions relating to a species enhancement plan, the biodiversity net gain habitat management and monitoring plan, compliance with the CEMP and ensuring no lighting is erected without permission. Subject to the inclusion of these conditions, appropriate material planning weight must be given to this uplift in biodiversity within the planning balance.

16.7 Subject to implementation of appropriate mitigation measures, the proposed development would comply with Policy BDP21 and BDP24.

16.8 The views of the Councils appointed Ecological Consultant and no objection from Natural England are noted and the reports and accompanying plans are considered well-presented and give a clear explanation of likely impacts on ecological features and of proposed mitigation measures.

17.0 Flood Risk and Drainage

17.1 The application site lies within Flood Zone 1 and is therefore at the lowest flood risk of flooding; the Environment Agency have not commented on the application.

17.2 The drainage strategy for the site indicates that the site will be constructed with permeable materials to allow rainwater to infiltrate into the underlying makeup where it will be intercepted by perforated pipework and feed into a SUDS pond located to the north of the site.

17.3 North Worcestershire Water Management (NWWM) have raised no objections to the scheme. However, they have recommended the imposition of a pre-commencement planning conditions stipulating the provision of a detailed surface water drainage scheme and Construction Surface Water Management Plan. NWWM also recommended conditions regarding at least 5m Buffer strip should be maintained alongside any watercourse and a permeable access track.

17.4 Concerns have been raised by members of the public in relation to flooding, some in connection with leakage of chemicals from the facility. However, in the event of fire, water used to treat this will be fully contained in that surface water will drain, through the internal drainage basin into the attenuation basin on site. This basin will be lined to stop any water leaching into the ground and is also sealed by a firewater isolation valve.

17.5 Therefore it is considered that the proposal would not unacceptably increase levels of flood risk on site. The application is therefore deemed to comply with the Framework and Policy BDP23 Water Management.

18.0 Trees

18.1 The Council's arboricultural Officer has commented on the application and has no objection. The Arboricultural Implications Assessment (AIA) identifies that there are a number of category A arboricultural features, which are high quality and would be required to be retained, subject to adhering with the submitted Arboricultural Method Statement. The proposed does not require or intend the loss of any existing tree on site as detailed in the report and the development has been sympathetically designed with the existing tree stock in mind. The submitted landscaping scheme and proposed planting is welcomed and does well to include native mixes for thicket areas as well as the more formal hedging that surrounds the development

18.2 It is considered that the necessary protection methods, mitigation, and enhancement can be secured via conditions to ensure that the proposals are acceptable in relation to trees.

19.0 Heritage and Archaeology

19.1 The application site is in close proximity to a number of heritage assets, including the Grade I Listed Sy Mar's Abbey Ruins and the associated SM of the Halesowen Abbey and associated water control features, lying some 600m to the north-east; the Grade II listed Oatenfields Farmhouse, lying some 150m to the west, with additional historic barns which may be considered as being curtilage listed; Illey Mill (non-designated heritage asset NDHA) lying adjacent to the proposed site entrance; and Goodrest Farm (NDHA), lying to the south of the site, which dates at least to 1831, being evident on the First Edition of the OS Mapping.

19.2 In accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), special regard has been paid to the desirability of preserving listed structures or their settings or any features of special architectural or historic interest which they may possess. Paragraph 200 of the Framework states that in determining applications, local planning authorities should take into account the significance of heritage assets and how they may be affected by proposals. Policy BDP20 managing the Historic Environment is relevant in that it sets out a presumption in favour of "development proposals which sustain and enhance the significance of Heritage Assets including their setting."

19.3 The application is supported by a Historic Environment Desk Based Assessment (HEDA) the Council's Conservation Officer has assessed the proposal and HEDA and concurs that there will be a degree of less than substantial harm to the significance and setting of the Grade II Oatenfields Farmhouse through the proposed development, resulting from both the alteration of the agricultural nature of the site, as well as the visual prominence of elements of the scheme, including the scale and size of elements such as the transformer and the high level disconnectors, and that this would be at the lower end of the scale of less than substantial harm.

19.4 The officer also agrees that there would be some limited harm to the setting and significance (insofar as the former contributes to the latter) of the Goodrest Farm

complex, again resulting in the need for a balanced judgement to the given to the scale of harm against the significance of the asset

19.5 However, the officer disagrees that there would be no harm to the setting, insofar as this contributes to significance, of Illey Mill, as part of the rural character of this setting, which does contribute to its significance, would be altered. It is considered that this would be a low level of harm to significance, where a balanced judgement has to be given to the scale of harm and the significance of the asset.

19.6 In relation to other matters raised and in particular to the consultation response by Dudley MBC, the following comments are made.

19.7 It is acknowledged that the Illey and Lapal Area of High Historic Landscape Value (AHHLV19) is a non-designated asset. However, it is incorrect to state that this was not assessed as part of the supporting information submitted.

19.8 As outlined in the desk-based assessment, the application site falls outside of the AHHLV19 and it does not contribute to its significance due to the modern landscape character exhibited by the site's field amalgamations. Within the Dudley Borough-Wide Urban Historic Landscape Characterisation Study (March 2016), it makes specific reference to AHHLV19 being subdivided into three areas, topography east and west of Lapal Lane South and north of Illey Lane, falling to the west to Illey Brook and then rising to the south to Illey Lane. Farmland south of Illey Lane is described as having a pattern of small, irregularly shaped, hedged fields in a mix of arable and pastoral agriculture, which is evidently different in character from the application site. Furthermore, the application site is well screened from the area of the designation and change within the site is unlikely to impact upon its significance.

19.9 The desk-based assessment was submitted prior to the appeal decision at Land at Illeybrook Farm, Illey Lane. In this case, the proposed BESS was within the AHHLV19 but the Inspector concluded in paragraph 34 "…that the appeal development would harm the character and appearance of the immediate area in the short term but would not harm the significance of the NDHA which would be preserved" and that "There would be no conflict with BCCS policy ENV2 that seeks to ensure that the historic character of the Black Country is protected or with DBDS policy S13, which seeks to protect the historic integrity of the AHHLV."

19.20 This is a recent decision and supports the position that the application site, which is outside of AHHLV, does not contribute to the significance of the AHHLV and does not harm the significance of the NDHA.

19.21 As part of Dudley's objection reference is also made to other designated heritage assets that they do not consider to have been fully assessed as part of the application process.

19.22 A number of designated and NDHA were assessed as part of the Historic Environment Desk-Based Assessment. Leasowes Registered Park and Garden (Grade I listed) is outside of the 1 km study area used for the desk-based assessment and not within the zone of theoretical visibility. Therefore, the

development would not be anticipated to have any visual impact upon the experience of this designated heritage asset. The development would not have any visual impact upon the experience of the designated heritage assets. As such, it is not anticipated that the proposed development will result in any harm to the heritage significance of the Leasowes Registered Park and Garden.

19.23 Halesowen Abbey (Grade I listed and a Scheduled Monument) is within the 1km study area and has been fully assessed. Section 4.2.1 of the desk based assessment outlines that:

"There were no possible views towards the Site from these assets due to distance and topography, with the sloping sides of the small valley formed by the Illey Brook to the south screening any views in the direction of the Site (Photo 12). Given the lack of visibility between the assets and the Site, and the lack of strong historical connection between the land within the Site and the assets, there would be no anticipated impacts to these designated heritage assets. The assets' setting would be unaffected by development within the site."

19.24 Due to the distance between the site and designated heritage assets identified within Dudley's comments, as well as the limited ability to appreciate any visual or historic link between them, the development would not be anticipated to result in any harm to these assets.

19.25 The Council has assessed the impact of the proposed development on Halesowen Abbey and has not identified any harm to the heritage significance of the Grade I Listed St Mary's Abbey Ruins, Manor Farm or the Scheduled Halesowen Abbey and associated water control features through changes to their setting. Overall, there is no objection to the development.

19.26 In terms of Archaeology matters through analysis of the historical baseline, it is identified that the following archaeological remains may survive within the site:

- Potential palaeolithic head deposits (MWR49433)/unknown prehistoric remains;
- Medieval and Post-medieval agricultural remains
- Remains relating to the anomalies identified through geophysical survey; and
- Other unknown archaeological remains.

19.27 If extant within the site, these remains have been identified as likely holding low to medium archaeological interest. As such, none of the remains have been identified as having the potential to be heritage assets of the highest significance and would be unlikely to require preservation *in situ* or otherwise preclude development within the site.

19.28 The impact of the proposed development upon the significance of these archaeological remains has been assessed. Truncation or total removal of underlying archaeological remains as a result of groundworks relating to the construction of the BESS within the site has been identified as a potential impact, which would reduce the significance of the remains. Any harm to such remains ought to be weighed in the balance, as per paragraph 216 of the Framework. If remains are present, a proportionate programme of evaluation and mitigation (i.e.

trenching and strip, map and sample) may be an appropriate method of offsetting some of the harm, through preservation by record.

19.29 The County Archaeologist has reviewed the HEDBA, including geophysical survey is a comprehensive piece of work and I can see that the current proposed development area (PDA) has been informed by the assessment in so much as it avoids areas of possible archaeology as indicated in the geophysics. County have made a suggestion that further archaeological investigation is undertaken pre-determination, to identify the presence or absence of archaeological remains their character and significance, within the area of the current red line boundary, which may not have been picked up by geophysical survey due to their more subtle, discrete nature.

19.30 It is the applicant's position that a proportionate and informed understanding of the nature of the proposed development and any likely archaeological impact has taken place. Any remains that have been identified are likely holding low to medium archaeological interest. As such, none of the remains have been identified as having the potential to be heritage assets of the highest significance and would be unlikely to require preservation *in situ* or otherwise preclude development within the site. The Framework iterates that when determining planning applications for renewable and low-carbon development, local planning authorities should approve the application if its impacts are (or can be made) acceptable (Paragraph 163). It would be disproportionate to require intrusive pre-determination trenching, which would have the potential to cause unnecessary harm to such remains and would be contrary to Paragraph 217. An appropriate scheme of localised trial trenching (e.g., of areas of greater anticipated impact) could be appropriately secured by planning condition in this instance.

19.31 Overall, the County Archaeologist have not objected to the proposal and outlined that should the LPA be minded to grant planning permission for this scheme, without further archaeological investigation pre-determination, a programme of archaeological works should be secured and implemented by means of a suitably worded condition attached to any grant of planning permission. This would take the form of evaluation by trial trench initially. This could be followed by further mitigation should the results of the evaluation find evidence to justify further stages.

19.32 The Heritage balance is undertaken further into this assessment.

20.0 Fire Risk and Fire Water Management

20.1 It is noted that a significant number of representations have raised concern with respect to the potential fire risk and resulting impact on the safety of the area. This includes concerns of the batteries catching fire, causing a thermal runway and the effects of water to manage any fire, resulting in off-site water contamination from fire water. As a result, questions have been posed as to the proposed fire suppression systems and the site's access for emergency vehicles. An overriding concern expressed is that the BESS would represent an unacceptable safety risk to those living near the site. On this matter, National Planning Practice Guidance (NPPG) states applicants are encouraged to engage with the relevant local fire

and rescue service. This is so matters relating to the siting and location of battery energy storage systems, in particular in the event of an incident, prevention of the impact of thermal runaway and emergency services access can be considered before an application is made. This is to ensure that the fire and rescue service are given the opportunity to provide their views on the application, to identify the potential mitigations which could be put in place in the event of an incident, and so these views can be considered when determining the application.

20.2 Applicants are also encouraged to consider guidance produced by the National Fire Chiefs Council. In Summer 2024, the National Fire Chief's Council undertook consultation on a draft update to their Guidance. As this has not been formally adopted by the NFCC, having taken into account the consultation responses, it has not yet superseded version 1 at the time of writing and should only carry limited weight as a material consideration.

20.3 It is important to note that fire safety is covered by separate fire safety requirements and health and safety law. The government maintain that BESS developments are covered by a robust regulatory framework. The House of Commons published a Research Briefing on BESS developments (23 June 2025)[3] that, amongst other things, addresses safety concerns. This outlines that there are two documented incidents in the UK, one at a facility in Liverpool in 2020 and one at a facility under construction in Essex earlier this year. It is noted the facility under construction was quickly contained and handed back to site management within a day.

20.4 The National Fire Chief's Council Guidance for Grid Scale Battery Energy Storage Systems (October 2023) provides planning guidance to aid the development sector. This document identifies 12 key principles to minimise fire risk and provide suitable emergency measures that include the identification and management of hazards, consideration of the effect on surrounding communities, and enabling safe access for emergency responders in the event of a fire. In terms of safe access, this requires at least two separate points of access into the site to account for wind direction. It also recommends that bespoke Emergency Plans, including both a Risk Management Plan and an Emergency Response Plan, should be prepared in coordination with the Fire and Rescue Service. While they are not a statutory consultee, following deferral at the 29 July 2025 Committee meeting, the Hereford and Worcester Fire and Rescue Service has reviewed the updated information. For completeness, their consultation response dated 1 October 2025 has been outlined in full in the consultation section.

20.5 In HWFS comments of 29 July they sought further information and clarification on a number of the following matters. The updated comments from HWFS dated 1 October 2025 are included in italics below.

Water Supply and Fire Suppression

[3] Battery energy storage systems (BESS) - House of Commons Library

20.6 The updated Firewater Management Plan (FWMP-001 Rev 02) submitted is based on the management and full containment of almost 12 hours of storage at a rate of 1900 l/minute for a total volume of 1,342 m3 without intervention. This exceeds the minimum requirement for water supply of 2 hours at 1900 l/minute noted in the NFCC Guidance. This would be controlled in conjunction with Hereford and Worcester Fire Rescue Service via planning condition 25.

20.7 *We believe this issue has now been resolved, with the applicant agreeing to provide relevant hydrants with the required flowrate. However, we would request that the following condition wording be agreed as part of any approval.*

Site Access and Roadways

20.8 The layout plan has been amended. This now has a secondary access route around the western section of the site around the battery compound. There are now also three sperate access points into the battery compound, further passing points have been incorporated into its design. This would be controlled in conjunction with Hereford and Worcester Fire and Rescue Service via planning condition 26.

20.9 *We note that the applicant has revised the site layout providing an additional access to the north-east corner of the compound, a perimeter road around the complete BESS facility, which now provides access at three points. We do note the NFCC Guidance states two separate access points to the site, which can be interpreted as the 'whole site' rather than the facility or compound area. We have reviewed the layout and again and are satisfied with the additional laybys provided, and access to the facility in the north, east and south locations.*

Container Separation Distances

20.10 The spacing between BESS units the guidance suggests a minimum of 6m. If distances are to be reduced then clear evidence why should be provided.

20.11 The NFCC guidance in relation to spacing between battery units is based on a 2017 Issue of the FM Global Loss and Prevention Datasheet 5-33 which has since been revised with the FM Global, Property Loss Prevention Data Sheets 5-33. Lithium-Ion Battery Energy Storage Systems, Interim Revision January 2024.The site layout plan showing the BESS, where they are back to back, accord with the minimum distance of 0.915m (3ft) as per guidance within Grid scale electrical energy storage systems: health and safety, published by the Department for Energy Security and Net Zero[4]. The applicants position is that they have demonstrated that the separation distances between units adhere to current guidance based on installation-level testing and current industry standards and have provided the requested information on the BESS units to be installed on site and what safety systems are installed, to ensure they mitigate the risks that this installation could pose.

[4] Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems

20.12 *Concerning this point we have reviewed the detail provided, and proposed container layout with regard to any proposed operational response, boundary container cooling etc. in the event of an incident. At this point we have no further comments.*

Vapour Cloud, Explosion & Deflagration Risk

20.13 The applicant does not consider this is required given the distance from any receptor.

20.14 *Following further consultation with the local planning authority and applicant we have reviewed the proposals with regard to the proximity to boundaries and taken account of the compound access points now provided, so make no further comment.*

Operation Response

20.15 A planning condition was previously proposed to address this point. This condition has now been updated in conjunction with HWFS and is now condition 26.

20.16 *Following further engagement, we do understand that a full response plan is not normally considered at this stage of planning. However, we believe that an extensive, site specific response plan should be agreed prior to any operation on-site, and therefore would request that the following proposed condition be included in any subsequent approval by the local authority.*

Water contamination (further consideration of this matter is outlined in Section

20.17 The National Fire Chief Council guidance states that; "Suitable environmental *protection measures should be provided. This should include systems for containing and managing water runoff. System capability/capacity should be based on anticipated water application rates, including the impact of water based fixed suppression systems."*

20.18 *We have reviewed the scheme proposals for water run-off and environmental impact, and note the containment proposals detailed. We make no comment with reference to environmental impact but would propose the following condition be included in any approval by the local authority.*

Testing & Design Evidence

20.19 The applicant has submitted a Risk Management Plan. Details of detection and suppression systems are covered under sections 2.6.1.4 (Battery Management Systems)& 2.6.1.5 (Fire Detection, Alerting & Suppression). Condition 24 for the Battery Infrastructure / Technology Proposed addresses this matter.

20.20 *This has been discussed with the applicant, and whilst we understand that this detail is often not known at the planning application stage, we would therefore request that the following condition wording be agreed as part of any approval.*

20.21 The concerns of the public regarding a fire incident are significant and understandable. However, the proposal has been assessed by the relevant authority (HWFR) in terms of its likely impact on the public and environment. The proposal is sited over 150m from the nearest residential property, well beyond the minimum distance of 25–30 meters outlined in NFCC guidance. The are considered sufficient to mitigate the risk of a serious fire incident, and to mitigate any major risks that might occur from a fire (or other incident) to people, the environment, ecology, ground, air and water.

20.22 In conclusion there is no compelling evidence to demonstrate that the facility would be hazardous or incompatible with its location within the open countryside. Moreover, it is guidance from the NFCC it is clear that HWFS have taken this into account and then deployed their site specific and local area knowledge in providing their detailed response in October 2025. In the unlikely event of a fire, the facility would be readily accessible by a fire tender and HWFS has raised no concerns in this regard subject to relevant conditions. As such, there is no clear reason within the submitted evidence that illustrates why the facility would be especially vulnerable to the risk of fire.

21 Heritage Balance

21.1 On heritage matters, the Framework requires that before carrying out a Planning Balance or the Green Belt Balance, a Heritage Balancing exercise is to be undertaken. Framework paragraph 212 advises that when considering the impact of a development on the significance of a designated heritage assets, great weight should be given to its conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Framework paragraph 215 indicates that where a development proposal would lead to less than substantial harm to the significance of a heritage assets (HA), this harm should be weighed against the public benefits of the proposal.

21.2 Great weight is accorded to the potential harm to the identified heritage assets. Balanced against this, the contribution the BESS would make to the acknowledged need for battery storage to assist in mitigating the effects of climate change and maintaining energy security attracts great weight. The absence of alternative sites, BNG and landscape enhancements attract significant weight and the economic benefits attract limited weight. Given their scale and nature, these public benefits outweigh the low level of less than substantial harm to HAs. The less that substantial harm to the HAs does not provide a clear reason for refusing the BESS.

22 Planning Balance

Conclusion in a scenario where the development accords with Framework *paragraph 155.*

22.1 This proposal would utilise Grey Belt land and having regard to the provisions of Framework paragraph 155, the development would not comprise inappropriate

development in the GB. The great weight attached to the contribution to mitigating climate change and to energy security, albeit temporary, the significant weight to the absence of alternative sites, the potential for permanent BNG and landscape enhancements and the limited weight the economic benefits generated by the proposal outweighs the temporary Moderate/Minor adverse landscape and visual effects, the less than substantial harm to heritage assets. Subject to the imposition of conditions, the proposal would not conflict with the development plan when read as a whole or the Framework.

Conclusion in the scenario where the development would be inappropriate development in the Green Belt

22.2 Framework paragraph 153 requires the decision maker to give substantial weight to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

22.3 The great weight attached to the contribution to mitigating climate change and to energy security, albeit temporary, the significant weight to the absence of alternative sites, the potential for permanent BNG and landscape enhancements and the limited weight the economic benefits generated by the proposal outweighs the temporary Moderate/Minor adverse landscape and visual effects, the less than substantial harm to HAs. Accordingly, taking the case as a whole, very special circumstances exist which justify the development.

22.4 I conclude that the benefits of this proposal, clearly outweigh the harm to the Green Belt and the other harms identified such that very special circumstances exist to justify this proposal. Subject to the imposition of conditions, the proposal would not conflict with the development plan when read as a whole or the Framework.

23 Conclusion

23.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is re-iterated within paragraphs 12 and 48 of the Framework. Having regard to all the above, the proposed development has been found to comprise Grey Belt land and is therefore considered to be acceptable in principle. It will provide renewable energy infrastructure and BNG enhancements on site while the moderate/minor adverse landscape impact is identified and the less than substantial harm to heritage assets.

23.2 There are considered to be no technical reasons to withhold planning permission. In weighing together all relevant factors, the proposal is considered to constitute sustainable development as defined within the Framework and is considered to be

acceptable when assessed against the aforementioned national planning guidance and local planning policy.

23.3 As such, it is recommended that committee endorse the recommendation to grant planning permission subject to conditions.

RECOMMENDATION: That planning permission be **GRANTED**

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

   Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following documentation, plans and drawings:

   01 Site Location Plan
   02 Existing Site Layout Plan
   03 Proposed Site Layout Plan REV 1
   04 Fire Strategy Plan REV 1
   05 Section Plan
   06 Contextual Site Elevations
   GRE002-SD-01_rev01 -132kV Substation (Plan)
   GRE002-SD-02_rev01 -132kV Substation (Section)
   GRE002-SD-03_rev01 -2.4m Palisade Fence and Security Gate
   GRE002-SD-04_rev01 - 40ft Welfare Office
   GRE002-SD-05_rev01 - DNO Control Room
   GRE002-SD-06_rev01 - CCTV Camera and Pole
   GRE002-SD-07_rev01 - Access Track
   GRE002-SD-08_rev01 - Aux Transformer
   GRE002-SD-09_rev02 - Battery Unit
   GRE002-SD-10_rev01 - Twin Skid (TX)
   GRE002-SD-11_rev01 - PCSK Inverter
   GRE002-SD-12_rev01 - Battery Interface Cabinet
   Outline Mitigation Plan 0755-01 Rev 09
   Visibility Splays: LTP/5804/P2/01.01 Rev O
   Tracking: LTP/5804/P2/01.02 Rev O
   Vertical Alignment: LTP/5804/P2/03.01 Rev O

   Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning/

3. The development hereby granted shall be limited to a period of 35 years from the date when electricity is first exported from the approved BESS to the electricity network.

Written confirmation of the first export date shall be given to local planning authority within 14 days of the first export date.

Within 35 years following the first export date of the development hereby permitted, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than twenty-eight working days following cessation of power production. In the event of a cessation of operations of the electricity storage facility for a period of 6 months, the scheme approved under condition 4 shall be fully implemented and all plant, machinery and structures associated with the development (including the internal haul roads) shall be removed from site. The electricity storage facility shall not be re-created under the terms of this planning permission.

Reason: To provide for the completion of operations and restoration of the site at the earliest opportunity within the project timescale, in the interests of amenity, minimising the duration of any adverse impacts.

4. Within 12 months of operational use of the site hereby approved, a Decommissioning Method Statement including a scheme of restoration for the removal of the Battery Energy Storage Facility, subject of this planning permission, and any associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The restoration scheme shall be in accordance with this approved plan, the approved decommission general arrangement plan and the site restored in accordance with the decommission soft landscaping plan.

   Reason: To ensure that the site is restored and reclaimed to minimise the duration of adverse impacts and the protection of the Green Belt.

5. Before the development hereby permitted is commenced (with the exception of site clearance and groundworks), full details of the facing colours of all the following structures: fencing, battery units, buildings, tanks and CCTV poles, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

   Reason: To ensure the development would integrate, respect and complement the character of the area and wider landscape.

6. A Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the LPA prior to commencement of the works. The CEMP shall be designed to mitigate potential construction phase impacts on ecological features, including but not limited to designated sites, notable habitats, great crested newts and other amphibians, bats, birds, badgers, otters, hedgehogs, brown hare and reptiles.

   Reason: To minimise negative impacts on ecological receptors during construction.

7. A sensitive lighting plan covering both the construction and operation phases of the development shall be produced and be approved by the LPA prior to commencement of works.

Reason: To avoid light spill onto retained trees, hedgerows and watercourses, during both construction and operation of the site, thereby minimising potential negative impacts of lighting on bats, birds, badgers, otters and other species that are active at night.

8. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), has been prepared in accordance Biodiversity Metric Report ref 81-381 (E3P, September 2025) and approved by the LPA. The HMMP must include:

   - A non-technical summary;
   - The roles and responsibilities of the people or organisation(s) delivering the HMMP;
   - The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan;
   - The management measures to maintain habitat in accordance with the Biodiversity Gain Plan for a period of 30 years from the completion of development; and
   - The monitoring methodology and frequency of reporting in respect of the created or enhanced habitat to be submitted to the LPA has been submitted to and approved in writing by the LPA.

   Once approved, the created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP for a period of 30 years from completion of development.

   Reason: To secure the delivery of ecological enhancement.

9. Notice of the following elements, set out in the HMMP, shall be given in writing to the LPA within 14 days of such completion:

   - Completion of habitat creation and enhancement works;
   - Monitoring reports, in accordance with the methodology and frequency specified in the approved HMMP; and
   - Verification of achieving targeted habitat condition of each habitat type, once target condition is achieved.

   Reason: To secure the delivery of ecological enhancement

10. No development shall take place until the tree protection measures as set out in the Arboricultural Method Statement have been implemented. The tree protection fencing shall be erected in accordance with BS 5837: 2012 and retained throughout the construction phase until completion of the development. Should any pruning to retained trees be necessary to facilitate the development, they are to be done in accordance with BS3998:2010.

    Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area.

11. Prior to the installation of any approved battery units, transformers, structures and fencing, a schedule of landscape implementation and maintenance for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning

Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise, including the identification of parties responsible for delivery and management. Development shall be carried out in accordance with the approved schedule. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.

Reason: To enable the development to respect, complement and positively integrate into the character of the area.

12. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

a) The programme and methodology of site investigation and recording.
b) The programme for post investigation assessment.
c) Provision to be made for analysis of the site investigation and recording.
d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
e) Provision to be made for archive deposition of the analysis and records of the site investigation
f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 218 of the National Planning Policy Framework.

13. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (12) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 218 of the National Planning Policy Framework.

14. Prior to first operation of the site equipment a noise impact assessment detailing the actual plant noise emissions, shall be submitted to the local planning authority for approval. This shall include proposals for verification testing the noise levels within 3 months of first operating the equipment. The noise emissions shall not exceed at the façade of residential premises 40 dBLAr for day and night periods. Rating levels shall be freefield from direct measurement and extrapolation and in accordance with BS 4142:2014+A1:2019: or its successor. Where levels are shown to exceed these levels, further mitigation measures shall be submitted and approved by the local planning authority and installed within an agreed timescale.

Reason: To safeguard the amenities of the locality to ensure compliance with policy BDP19.

15. No works in connection with site drainage shall commence until a surface water drainage scheme for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of surface water drainage measures, including for hardstanding areas, and shall conform with the national standards for SuDS (Defra, 2025) and the Flood risk and drainage assessment submitted with the application (Gondolin, September 2025). The scheme shall include an assessment to demonstrate that the proposed scheme provides sufficient treatment prior to the attenuated discharge from the site. Discharge rates shall be limited to 5.3l/s for events up to the 1 in 100 year (1% annual probability) event plus 40% climate change allowance. The scheme shall include proposals for the containment of firewater on the site. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

    Reason: To prevent the increased risk of flooding, to protect water quality and to ensure future maintenance of the surface water drainage assets in accordance with policy BDP23 Water Management.

16. No works or development shall take place until a construction surface water management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include how surface water will be managed during the construction phase, including site clearance and soil stripping. The plan shall include drawings of any temporary drainage systems, a timeline of construction and measures to mitigate the risk of pollution (including silt) of the water environment and offsite flood risk. The plan shall detail how the approved permanent surface water drainage system shall be remediated during the construction phase. The approved construction surface water management plan shall be implemented as soon as works start on site thereafter maintained during the full duration of the construction phase.

    Reason: To prevent the increased risk of flooding and to protect water quality in accordance with policy BDP23 Water Management.

17. No works, other than the planting detailed in the submitted Outline Mitigation Plan (Stephenson Halliday, Drawing 0755-01, Rev 09), shall be undertaken within 5 meters of any watercourse.
    Reason: To protect the water environment and riparian zone in accordance with policies BDP23 Water Management and BDP24 Green Infrastructure.

18. The access track hereby approved shall be laid with a permeable material unless otherwise agreed in writing by the Local Planning Authority. If a non permeable material is proposed, prior to its construction the access track shall be accompanied by a revised drainage strategy, adhering to the principles agreed for the surface water drainage scheme agreed under condition 15 (Surface water drainage scheme condition). The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme. The access track shall be maintained in good order for the lifetime of the development.

Reason: To prevent the increased risk of flooding in accordance with policy BDP23 Water Management.

19. The development hereby approved shall not be occupied until the first 15 metres of the access into the development (or the length of the largest vehicle to use the access), measured from the edge of the carriageway, has been surfaced in a bound material.

    Reason: In the interests of highway safety.

20. Before development commences, a detailed schedule of works, design for the site access and signing shall be submitted to and approved in writing by, the Local Planning Authority. No works in association with the proposal shall commence until the site access works and signing, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full.

    Reason: In the interests of achieving safe and suitable highway access for all users.

21. The development hereby approved shall not commence until the vehicular access has been provided as shown on drawings.

    - Visibility Splays: LTP/5804/P2/01.01 Rev O
    - Tracking: LTP/5804/P2/01.02 Rev O
    - Vertical Alignment: LTP/5804/P2/03.01 Rev O
    - 03 Proposed Site Layout Plan REV 1

    Reason: To ensure conformity with submitted details and highway safety.

22. The development hereby approved shall not commence / be brought into use until the visibility splays 2.4m x 215m (left) & 98.7m (right) shown on drawing LTP/5804/P2/01.01 Rev O have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

    Reason: In the interests of highway safety.

23. The development hereby approved shall not commence until a pre-construction highway condition survey has been undertaken to the satisfaction and approval of the Local Highway Authority. The extent of the survey shall be agreed and approved in writing. A copy of the survey shall be issued to the Local Highway Authority, as an approved record. Upon completion of the development construction phase, a follow-up condition survey shall be undertaken to the satisfaction of the Local Highway Authority.

    Reason: To ensure integrity of the local highway network is maintained, in the interests of highway safety.

24. Notwithstanding the submitted information, no development shall commence on site until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:

a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc).
c. The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
d. Details of any temporary construction accesses and their reinstatement.
e. Details of the proposed routes for the Abnormal Loads and HGV's

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety and public amenity.

25. No development shall take place until a scheme to dispose of surface water and any contaminated drainage from fire suppression has been submitted to and approved in writing by the Local Planning Authority (in consultation with Hereford and Worcester Fire and Rescue Service).

A construction phase Surface Water Management Plan (SWMP) should also be submitted and agreed to ensure that surface water run-off and contamination is temporarily intercepted, stored, treated, and discharged from the site during construction of the scheme.

A management and maintenance plan shall be submitted to ensure surface water drainage systems are maintained and managed for the lifetime of development, including the name and contact details of the body(-ies) responsible.

The scheme shall include:
a) details of any fire prevention systems;
b) evidence of agreement with the Hereford and Worcester Fire and Rescue Service to confirm the expected volume and nature of contaminated water which would need to be managed in the event of a fire on the site (subject to an approved fire incident response plan being agreed);
c) details of the nature of any contaminants which could be present from a failure and leak from the batteries and/or transformer(s) on site;
d) details of fire water containment systems and how these will be designed to prevent infiltration and/or isolated to prevent direct discharges of contaminants to surface water outfalls;
e) details of SUDS features and how these will be constructed to prevent the infiltration of contaminated water to ground (e.g. the proposed permeable hardcore will need to be lined to prevent infiltration);

f) details of how the drainage system will be designed such that it is resistant to damage and corrosion that may occur during a fire incident;
g) a management and maintenance plan to ensure that all drainage features, including penstock valves are maintained and functional throughout the life of the development. This should include plans for replacement and repair of elements that may be damaged as a result of a fire incident;
h) evidence that a plan is in place, including the name and contact details of the body(-ies) responsible, to remove and safely dispose of any contaminated water stored on site in the event of an incident, including fire.

Reason: To ensure potential hazards and details of mitigation measures reduce environmental hazards to an acceptable level as required by BDP19.

26. No battery unit or associated electrical equipment shall be brought on the site until details of an overarching Fire Safety Precaution Statement for the development has been submitted to and approved in writing by the Local Planning Authority (following consultation with Hereford and Worcester Fire and Rescue Service). This statement shall be guided by the applicant's submitted Fire Safety Strategy and the "Grid scale battery energy storage system planning - Guidance for Fire and Rescue Services" published by the National Fire Chiefs Council (or any subsequent update and references). Thereafter, the development shall operate in accordance with the measures outlined in the approved Fire Safety Precaution Statement.

    Reason: To ensure potential hazards and details of mitigation measures reduce environmental hazards to an acceptable level as required by BDP19.

27. Prior to the commencement of any above ground works pursuant to the development permitted, a detail site layout plan shall be submitted and approved in writing by the Local Authority and Hereford and Worcester Fire and Rescue Service. The approved scheme will require two access points, with appropriate turning and passing laybys, adjacent to site fire hydrants.

    The scheme will include as a minimum two fire hydrants capable of delivering 1,900 litres per minute at the site (unless an alternative is agreed in writing with Hereford and Worcester Fire and Rescue Service). The two fire hydrant locations shall be agreed and detailed on the site layout plan, and included in the Emergency Response Plan.

    Reason: To ensure potential hazards and details of mitigation measures reduce environmental hazards to an acceptable level as required by BDP19.

28. Prior to the commencement of any above ground works pursuant to the development permitted, a detail and site specific Emergency Response Plan shall be submitted and approved in writing by the Local Authority and Hereford and Worcester Fire and Rescue Service. The Emergency Response Plan shall be developed using best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by the National Fire Chiefs Council. The development shall be carried out and thereafter operated only in accordance with the approved site specific Emergency Response Plan.

The site specific Emergency Response Plan should cover as a minimum;
a) Hazard Information;
b) Response Procedures;
c) Environmental Impact Mitigation;
d) Post Incident Operations;
e) Communication and Notification;
f) Command & Control;
g) Training & Exercising Responsibilities;
h) All relevant site specific information.

Reason: To ensure potential hazards and details of mitigation measures reduce environmental hazards to an acceptable level as required by BDP19.

Case Officer: Mr Paul Lester Tel: 01527 881323
Email: paul.lester@bromsgroveandredditch.gov.uk