

**MINUTES
PLANNING COMMITTEE**

Wednesday 26 March 2025

Councillor Roy Allan (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Catherine Pope
	Councillor Sandra Barnes	Councillor Grahame Pope
	Councillor Stuart Bestwick	Councillor Sam Smith
	Councillor David Ellis	Councillor Ruth Strong
	Councillor Andrew Ellwood	Councillor Jane Walker
	Councillor Helen Greensmith	Councillor Henry Wheeler
	Councillor Julie Najuk	Councillor Russell Whiting
	Councillor Lynda Pearson	

Absent: None

Officers in Attendance: N Bryan, C Goodall, J Krawczyk, N Osei, L Squires, H Stylianou and C Turton

60 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

No apologies for absence were received.

61 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2025

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

62 DECLARATION OF INTERESTS

None.

63 APPLICATION NO. 2024/0269 - LAND AT BURTON WOOD FARM, SPRING LANE, LAMBLEY

Proposed Battery Energy Storage System (BESS) and associated infrastructure.

Ian Taylor, a local resident, spoke against the application on behalf of a group of local residents.

Jonathan Cooper, Senior Development Manager of Grenergy (The Applicant), spoke in support of the application.

The Principal Planning Officer gave an update to the committee, summarised as follows:

The measurements of the battery units stated in paragraph 3.3 of the report were incorrect and should have read that the battery units proposed were 2.795 metres in height, 1.72 metres in width and 7.81 metres in length and that the skids were raised 0.15 metres above ground level.

She added that with regards to Section 5 of the report, Policy LPD10 (Pollution) was also relevant as it stated that planning permission would not be granted for development which would result in an unacceptable level of pollution or was likely to result in exposure to sources of pollution or risks to safety.

The Principal Planning Officer added that further correspondence had been received from neighbours, which had also been sent directly to members of the Planning Committee. She then went on to introduce the report.

A request for a recorded vote was moved by Councillor Greensmith and seconded by Councillor Smith.

For the application:

Councillors Allan, Ellwood, Ellis, Najuk, Pearson, C Pope, G Pope, Strong and Wilkinson.

Against the application:

Councillors Barnes, Bestwick, Greensmith, Smith, Walker, Wheeler and Whiting.

Abstentions:

None.

The application was carried, and it was therefore

RESOLVED:

To Grant Planning Permission subject to the following conditions:

Conditions

- 1 The development must not be begun later than three years beginning with the date of this permission.

- 2 The development hereby permitted shall be carried out in strict accordance with the following approved plans and the submitted application form:

GRE001-SP-01_rev04- Site Location Plan received 6 March 2025
GRE001-PL-00_rev04 - Existing Site Layout Plan received 18 April 2024
GRE001-PL-01_rev08 - Site Layout Plan received 27 November 2024
GRE001-PL-02_rev08 - Site Layout Plan 1 to 500 received 27 November 2024
GRE001-FS-01_rev07 - Fire Strategy Plan received 27 November 2024
EW-001 Rev. 00 – Earthworks Layout received 18 April 2024
GRE001-EL-01_rev05 - Contextual Elevations (Sheet 1 of 3) received 18 April 2024
GRE001-EL-02_rev02 - Contextual Elevations (Sheet 2 of 3) received 18 April 2024
GRE001-EL-03_rev02 - Contextual Elevations (Sheet 3 of 3) received 18 April 2024
GRE001-SD-01_rev03 - 132kV Substation (Plan) received 18 April 2024
GRE001-SD-02_rev03 - 132kV Substation (Section) received 18 April 2024
GRE001-SD-03_rev02 - 2.4m Palisade Fence and Security Gate received 18 April 2024
GRE001-SD-04_rev02 - 20ft Welfare office or Spares container or SCADA Centre received 18 April 2024
GRE001-SD-05_rev03 - DNO Control Room received 18 April 2024
GRE001-SD-06_rev02 - CCTV Camera And Pole received 18 April 2024
GRE001-SD-07_rev02 - Access Track received 18 April 2024
GRE001-SD-08_rev02 - Aux Transformer received 18 April 2024
GRE001-SD-09_rev02 - Battery Unit received 18 April 2024
GRE001-SD-10_rev02 - Twin Skid (TX) received 18 April 2024
GRE001-SD-11_rev02 - PCSK Inverter received 18 April 2024
GRE001-SD-12_rev02 - Battery Interface Cabinet received 18 April 2024

- 3 Prior to above grounds works commencing details including colour of external finishes of the battery containers, transformers, substation structures and type and height of fencing and CCTV installation equipment shall be submitted to and approved in writing by the Local Planning Authority.
Development shall, thereafter, proceed in accordance with details as approved.

- 4 Works to form the Battery Energy Storage System shall not commence until a Battery Safety Management Plan (BSMP) and Emergency Response Plan have been submitted to and approved in writing by the Local Planning Authority. The BSMP shall prescribe measures to facilitate safety during the construction, operation and decommissioning of the battery storage system. These plans shall be developed in conjunction with Nottinghamshire Fire and Rescue Service using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by NFCC National Fire Chiefs Council. The Battery Energy Storage System shall be operated in accordance with the approved BSMP at all times.
- 5 Within 40 years following completion of construction of the development hereby permitted, or within 12 months of the cessation of operational use, or within six months following a permanent cessation of construction works prior to the battery facility coming into operational use, whichever is the sooner, 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. The site shall subsequently be restored in accordance with a scheme and timescale, the details of which shall be first submitted to and approved in writing by the local planning authority no later than six months following the cessation of power production. For the purposes of this condition, a permanent cessation shall be taken as a period of at least 24 months where no development has been carried out to any substantial extent anywhere on the site.
- 6 No development shall take place, including any ground works or demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall be adhered to throughout the construction period and shall provide for:
 - a) the parking of vehicles of site operatives and visitors;
 - b) routing of construction vehicles;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) wheel and underbody washing facilities;
 - f) measures to mitigate the risk of flooding of the battery containers; and
 - g) measures to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and to prevent pollution.

- 7 Prior to above ground works commencing, a scheme of both soft and hard landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 8 Prior to the erection of any external lighting on site, a lighting plan, shall be submitted to and approved in writing by the local planning authority. The submitted plan should include details of the specification and design of the fixtures to be erected and should be accompanied by contour diagrams that demonstrate minimal levels of lighting on receptor habitats, including trees and hedges. The lighting should be designed in accordance with Bat Conservation Trust/ Institution of Lighting Professionals Guidance Note 08/23 'Bats and Artificial Lighting in the UK'. Development shall be carried out in accordance with the approved details and retained for the lifetime of the development.
- 9 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy GON.0384.0222, 28/03/2024, Gondolin Land and Water., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
 - Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169.
 - Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.
 - Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.

- No surcharge shown in a 1 in 1 year
- No flooding shown in a 1 in 30 year.
- For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

10 No development or demolition shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The mitigation strategy will include appropriate Written Schemes of Investigation for evaluation trenching and provision for further mitigation work. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

11 The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

12 A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

13 Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority; and

(b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

14 The Biodiversity Gain Plan shall be prepared in accordance with the BNG Condition Assessment Sheet and Metric, received 7th March 2025 and the BNG Assessment and Bio-enhancement scheme, received 10th March 2025.

15 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

- 16 Notice in writing shall be given to the Council when the:
 - (a) HMMP has been implemented; and
 - (b) habitat creation and enhancement works as set out in the HMMP have been completed.
- 17 Monitoring reports shall be submitted to and approved in writing by local planning authority in accordance with the methodology and frequency specified in the approved HMMP.
- 18 The development must be carried out in accordance with all recommendations of the following documents:-
 - Biodiversity Net Gain (BNG) and Enhancement Scheme, received 10th March 2025
 - Spring Lane BESS Preliminary Ecological Assessment (PEA), (v1.4, received 6th March 2025)
 - EEL752 Land At Burton Wood Farm, Spring Lane, Lambley, Nottinghamshire – Nesting and Ground Nesting Bird Mitigation Technical Note (V1.1 received on 5th March 2025)
 - EEL752 Land At Burton Wood Farm, Spring Lane, Lambley, Nottinghamshire - Great Crested Newt Mitigation (GCN) Addendum (Version received on 29th January 2025)
- 19 No development shall be commenced until a Construction Ecological Management Plan to protect retained habitats and protected or priority species during the planned works has been submitted to and agreed in writing by the Local Planning Authority. The CEMP should include detailed plans for all relevant mitigation recommendations set out within the EclA report. Development shall thereafter commence in accordance with the approved details.
- 20 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials

- iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. hours of operation
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- 21 No development shall be commenced until a detailed Biodiversity enhancement Plan, setting out the details and locations of all enhancements recommended in the submitted ecological documents as well as timescales, received as part of the planning application, have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and retained for the lifetime of the development.
- 22 The development shall not be operational until a detailed report to evidence implementation of the Biodiversity Enhancement Plan features has been submitted to and approved in writing by the Local Planning Authority.
- 23 Development shall not commence until precise details of 6 no. replacement ground nesting bird plots have been submitted to and approved in writing by the Local Planning Authority. These shall be implemented in full prior to the development commencing and shall be retained for the lifetime of the development.
- 24 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site-specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 To define the specific works that have been granted permission.
- 3 In the interests of visual amenity.
- 4 In the interests of fire safety, visual amenity and environmental protection.
- 5 In the interests of fire safety, visual amenity and environmental protection.
- 6 In the interests of highway safety.
- 7 In the interest of visual amenity and to ensure that the development has an adequate level of screening from its surroundings.
- 8 In the interests of residential amenity.
- 9 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 10 To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.
- 11 In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.
- 12 In order to ensure that satisfactory arrangements are made for the reporting, archiving and dissemination of the results of the investigation in accordance with the National Planning Policy Framework.
- 13 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
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- 18 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 19 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 20 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 21 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 22 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 23 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 24 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies, and the design and dimensions are not considered to have potentially detrimental effects on surrounding amenity with no undue overlooking, overbearing or overshadowing impact. Neither would the proposal have an adverse impact upon highway safety. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 2, 4, 11, 13, 14, 15, 16), Policies A, 1, 3, 11, and 17 of the GBACS (2014), the Gedling Part 2 Local Plan (2018) Policies LPD

2, 4, 18, 19, 26, 27, 32, 58, and 61, and the relevant provisions of the Gedling Design Code Framework (2024) and Burton Joyce Neighbourhood Plan (2018), as well as those of the Environment Act (2021).

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework. During the processing of the application there was no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. Where the Council's view is that CIL is payable, full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk

There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.

The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.

If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.

If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.

Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.

No materials or contractor's vehicles should be stored/parked on the path prevent access to or along the path at any time (unless a temporary closure of the path has been applied for and granted)

Should vehicles run over the path during the development, the applicant must ensure that the surface is repaired and made safe for the users of the path, be that pedestrian, equestrian or cyclists.

Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. licences@viaem.co.uk

If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottscg.gov.uk

If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit>

and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic

Applicants should engage with Local Fire & Rescue Services issues of siting and location of BESS are dealt with before applications are made. Ideally this should be done before submitting a planning application.

Local planning authorities to refer to guidance produced by the National Fire Chiefs Council for consideration when determining applications and consult with local Fire & Rescue Services before issuing decisions. Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service.

Battery energy storage systems (BESS) facilities are not regulated under the Environmental Permitting Regulations regime. However, battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs.

Batteries have the potential to cause harm to the environment if stored inappropriately e.g. subject to a fire as the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place.

The Waste Batteries and Accumulators Regulations 2009 also introduced a prohibition on the disposal of batteries to landfill and incineration. Batteries must be recycled or recovered by approved battery treatment operators or exported for treatment by approved battery exporters only.

Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport.

The landscaping scheme to be approved under condition 7 shall broadly comply with the INDICATIVE LANDSCAPE MASTERPLAN received 16 July 2024.

64 POSITION STATEMENT ON GREEN BELT POLICY LPD 13

The Development Manager introduced the report, which had been circulated in advance of the meeting, asking members to consider the Position Statement.

RESOLVED:

To support the interpretation of Policies LPD 13 and 14 as set out in the appendix.

65 APPEAL SUMMARY REF:APP/N3020/Z/24/3349807 - GEOLAND HOUSE, 178 ST ALBANS ROAD, ARNOLD

Replacement of gable end externally illuminated poster with digital display.

RESOLVED:

To note the information.

66 APPEAL SUMMARY REF: APP/N3020/Z/24/3354719 - 238 MANSFIELD ROAD, REDHILL

Erection of D48 (digital) advertisement display.

RESOLVED:

To note the information.

67 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

68 DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

69 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.37 pm

Signed by Chair:
Date: