


REPORT TO PLANNING COMMITTEE

9th December 2020

Application Reference	DC/20/64437
Application Received	3 rd July 2020
Application Description	Proposed construction and operation of a 49.9 MW battery storage facility, fencing and site access road.
Application Address	Land Off Painswick Close, Woodruff Way, Walsall
Applicant	Pivoted Power LLP
Ward	Great Barr with Yew Tree
Contribution towards Vision 2030:	
Contact Officer(s)	William Stevens 0121 569 4897 William_stevens@sandwell.gov.uk

RECOMMENDATION

Subject to Full Council that planning permission is granted subject to:

- (i) Ground conditions investigation/mitigation

1. BACKGROUND

1.1 This application is being reported to your Planning Committee because the proposal is classed as a Departure from the local development plan.

1.2 To assist members with site context, links to Google Maps is provided below:

[Painswick Close, Walsall](#)

[Aerial View Painswick Close, Walsall](#)

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The Site is allocated as Green Belt land in the local plan.
- 2.2 The material planning considerations which are relevant to this application are: -

Departure from the development plan.

3. THE APPLICATION SITE

- 3.1 The application site is situated adjacent to the existing electricity distribution site of Painswick Close, accessed via Woodruff Way, Walsall.
- 3.2 The application site relates to Green Belt land with residential properties to the north and west (beyond the electricity distribution site), Motorway 6 to the south and the Rushall Canal to the east.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history associated with this site however, an application has been determined regarding an Environmental Impact Assessment (EIA) Screening Opinion and found that an EIA was not required in this instance.

- | | | | |
|-----|-------------|--|--|
| 4.2 | DC/20/64312 | Screening Opinion for proposed installation of 49.9 MW lithium-ion battery storage facility. | Screening opinion, EIA Not required 09/06/2020 |
|-----|-------------|--|--|

5. APPLICATION DETAILS

- 5.1 The applicant proposes to construct and operate a 49.9 MW battery storage facility, to include fencing and a site access road. The facility will be connected to the existing transmission grid substation.
- 5.2 The maximum height of the fencing will be 2.4m with CCTV at a height of 4.2m. The site would also house a container for spare parts.
- 5.3 The applicant has stated that the use will be on site for 30 years, given the length of time, the proposal would be classed as permanent.

6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification letters, by site notice and by press notice without response.

7. STATUTORY CONSULTATION

7.1 Planning and Transportation Policy

No objection.

This proposal is contrary to one aspect of Green Belt policy. However, the proposal will assist with meeting other policy goals such as sustainable transport, low carbon heating, air quality improvements and net zero carbon 2050 that outweigh the loss of this small area of green belt. The proposal is also limited for 30 years after which the facility will be removed. Therefore, (subject to being agreed at Full Council), the proposal is acceptable from a policy point of view.

7.2 Highways - No objections.

7.3 Public Health (Air Quality) - No objections.

7.4 Public Health (Contaminated Land)

No objections. However, if during the development contaminated land is discovered then proper mitigation measures need to be implemented.

7.5 Canal and Rivers Trust - No objections.

7.6 Cadent - No objections.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

8.1 National Planning Policy Framework (NPPF) promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

8.2 The Government attaches great importance to Green Belts (paragraph (p) 133 NPPF), and states in p143 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Council's Planning Policy Team consider that this is such a special circumstance given the wider benefits regarding environmental benefits towards climate change combined with the proposal having minimal impact on the wider Green Belt area.

9. LOCAL PLANNING POLICY

9.1 The following policies of the Council's Development Plan are relevant: -

9.2 SAD ESO2 – Green Belts states that within the Green Belt, inappropriate development will not be permitted, except in very special circumstances,

where the harm of the development is clearly outweighed by other considerations (see point 7.1 and 8.2).

10. MATERIAL CONSIDERATIONS

10.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 8 and 9. With regards to the other considerations these are highlighted below:

10.2 Departure from the development plan

It is considered that the proposed development is contrary to the local plan; however, there are significant grounds to set this policy aside (see point 7.1 and 8.2).

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambition 10 of the Sandwell Vision 2030: -

11.2 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The proposed development is on green belt land and as a general rule, proposed developments should be refused unless the harm is outweighed by other considerations. The location of this green belt area is bounded by the motorway, the canal, an electricity distribution site and residential properties. In my opinion, the loss of this area of green belt would not be detrimental to the local area. I therefore recommend this application for approval.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the National Planning Policy Framework (8), Development Plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There would be no impact.

21. APPENDICES:

Site Plan

Context Plan

BUS001

BUS002

TSC37-E001

TSC37-G001

TSC37-G002

TSC37-G003

TSC37-G004

TSC37-G005

TSC37-G006

TSC37-G007.1

TSC37-G007.2

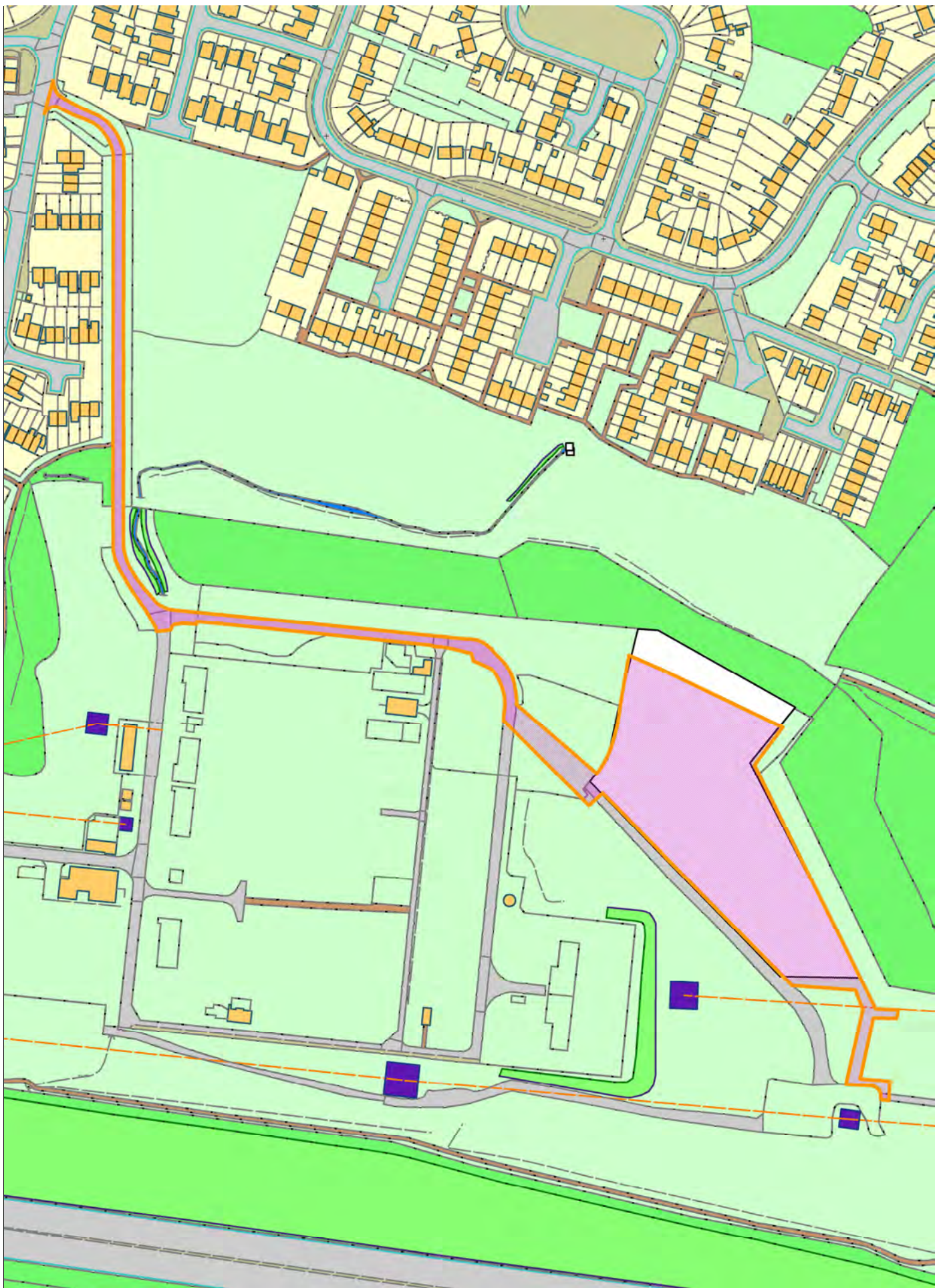
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TSC37-G010

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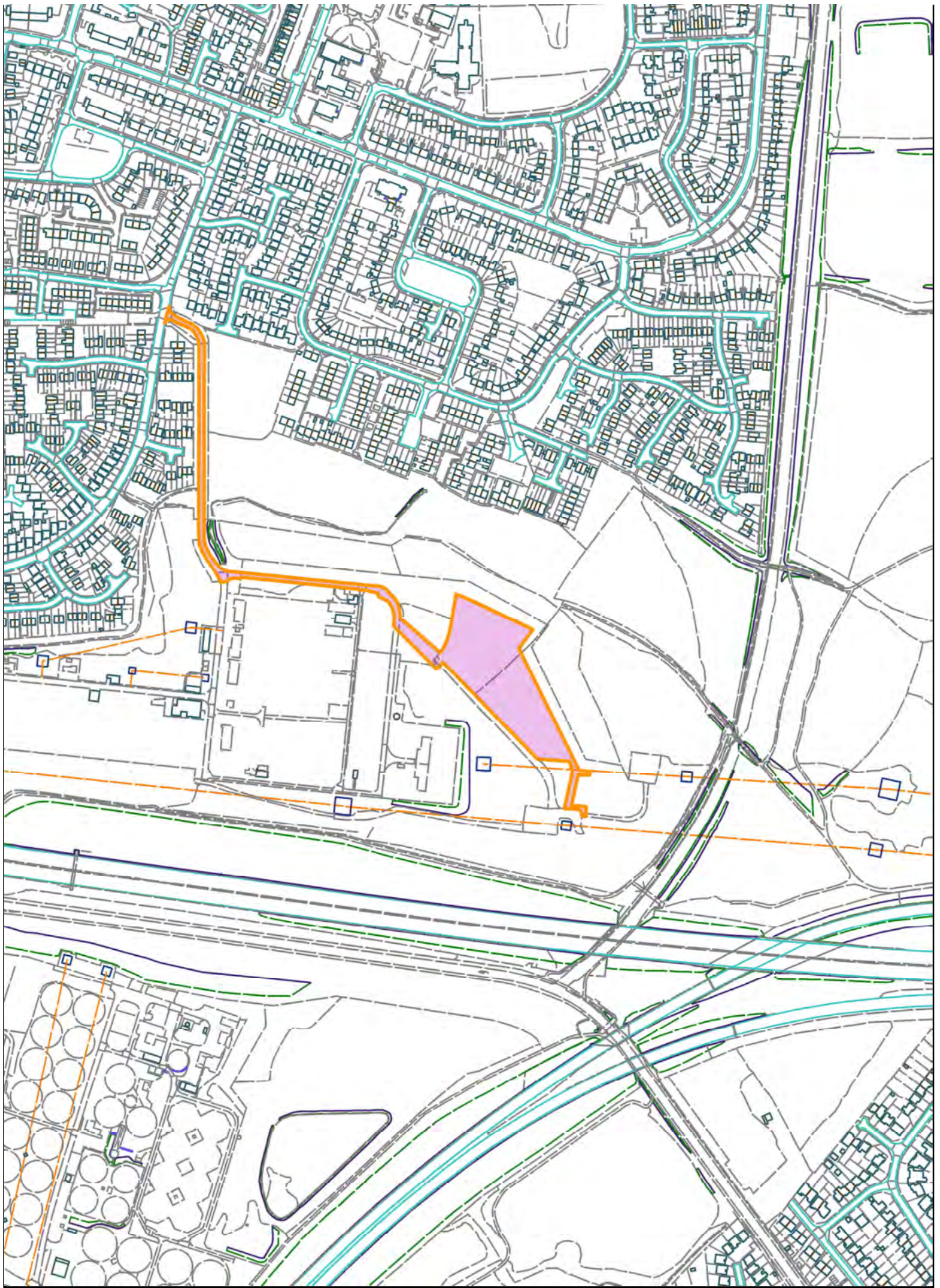
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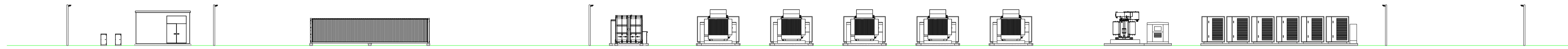




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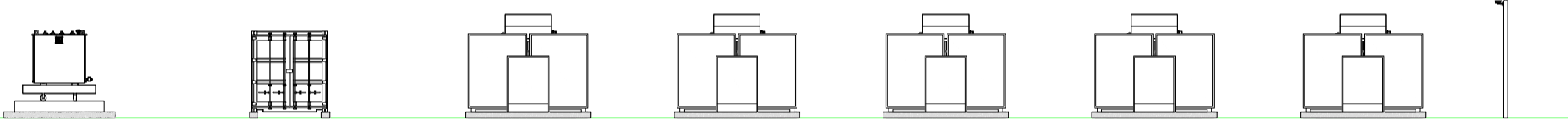


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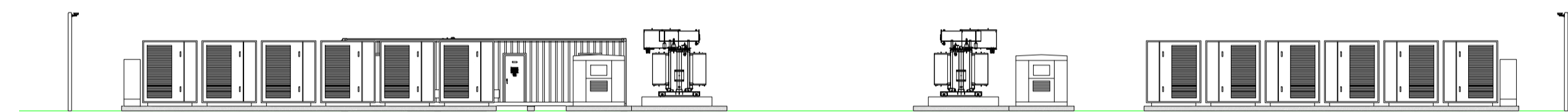


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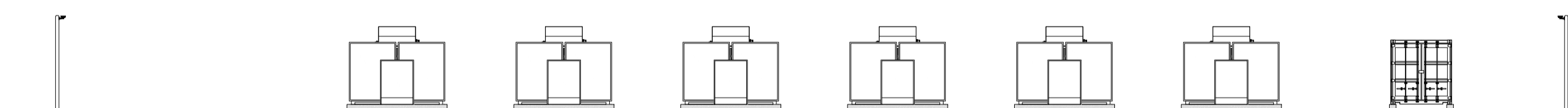
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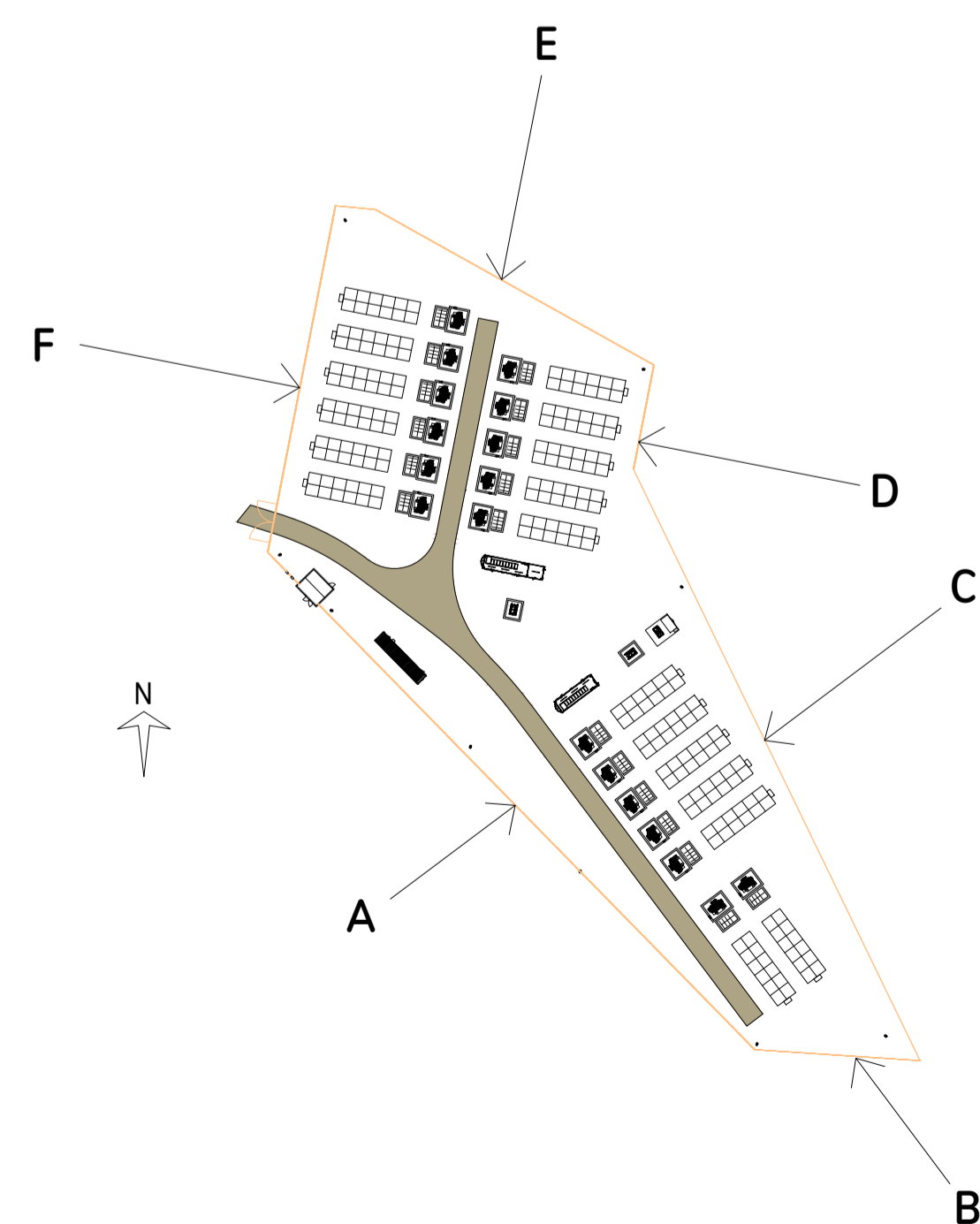
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ELEVATION E – SCALE 1:200 @A1



ELEVATION F – SCALE 1:200 @A1



General Notes

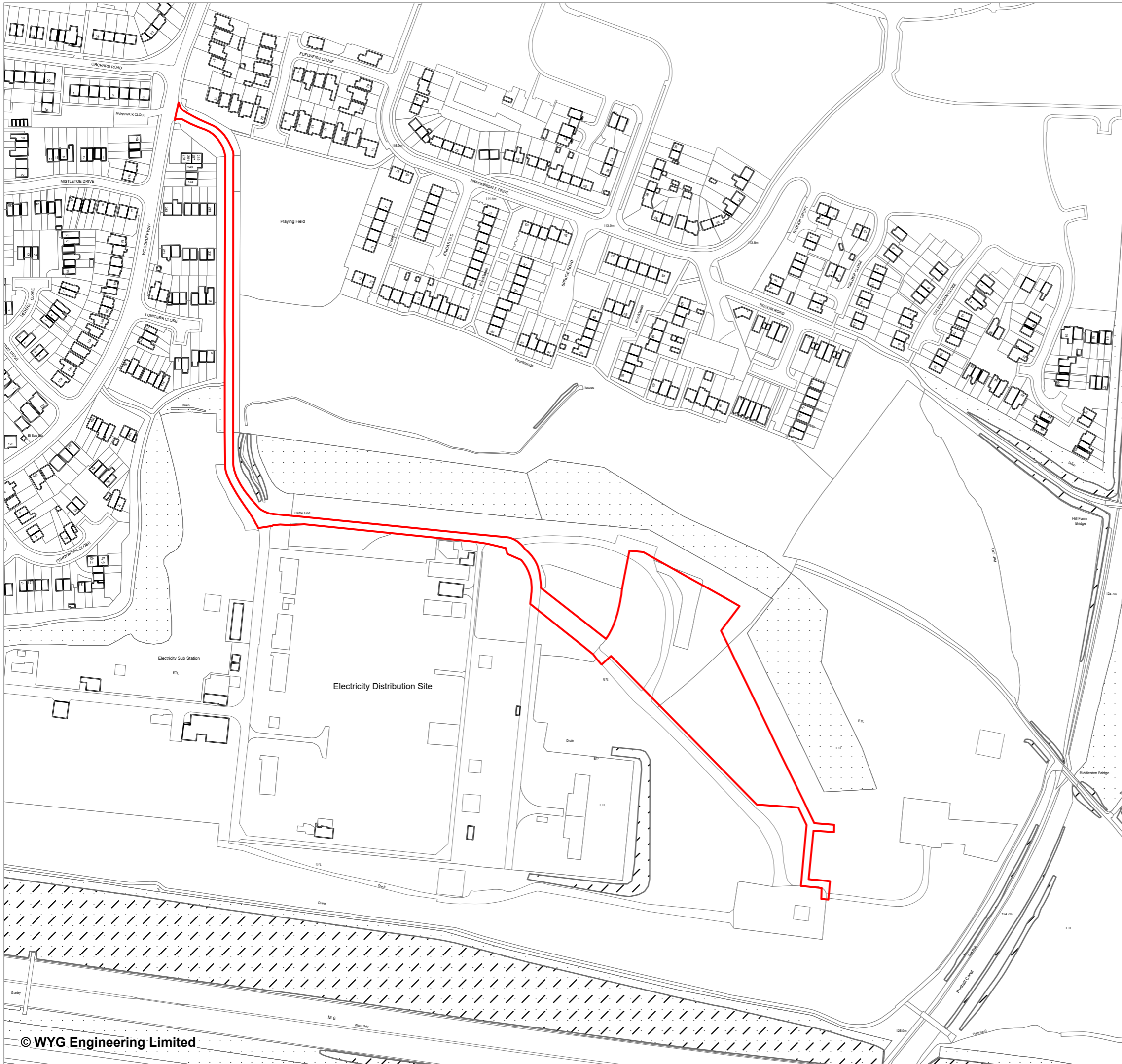
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-	First Issue	22.06.20



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 BUSTLEHOLME, WS5 4SJ

Drawing Title
SITE ELEVATIONS

Project BUSTLEHOLME	Sheet
Date 22.06.2020	TSC37-E001
Scale AS SHOWN	



**Site Location
Bustleholme**



**pivot
power**

Red Line Boundary

Drawn by: MS

Drawing No. BUS001

Checked by: JV

Revision No.

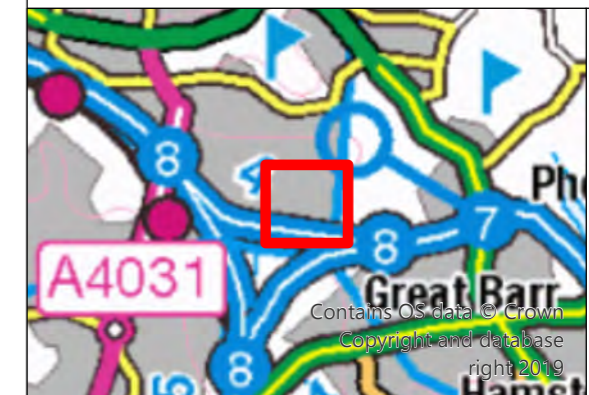
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24 June 2020

Scale 1:2,500 @A3

NGR: 402889E 295157N

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The Pavilion, 1st Floor
Botleigh Grange
Office Campus
Hedge End
Southampton
Hampshire, SO30 2AF



Site Location (Aerial)
Bustleholme



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 Red Line Boundary

Drawn by: MS

Drawing No. BUS002

Checked by: JV

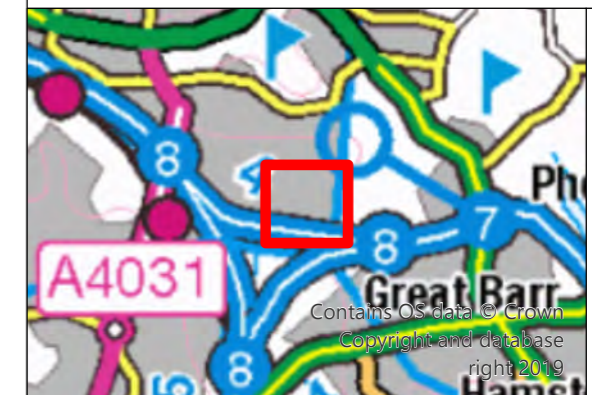
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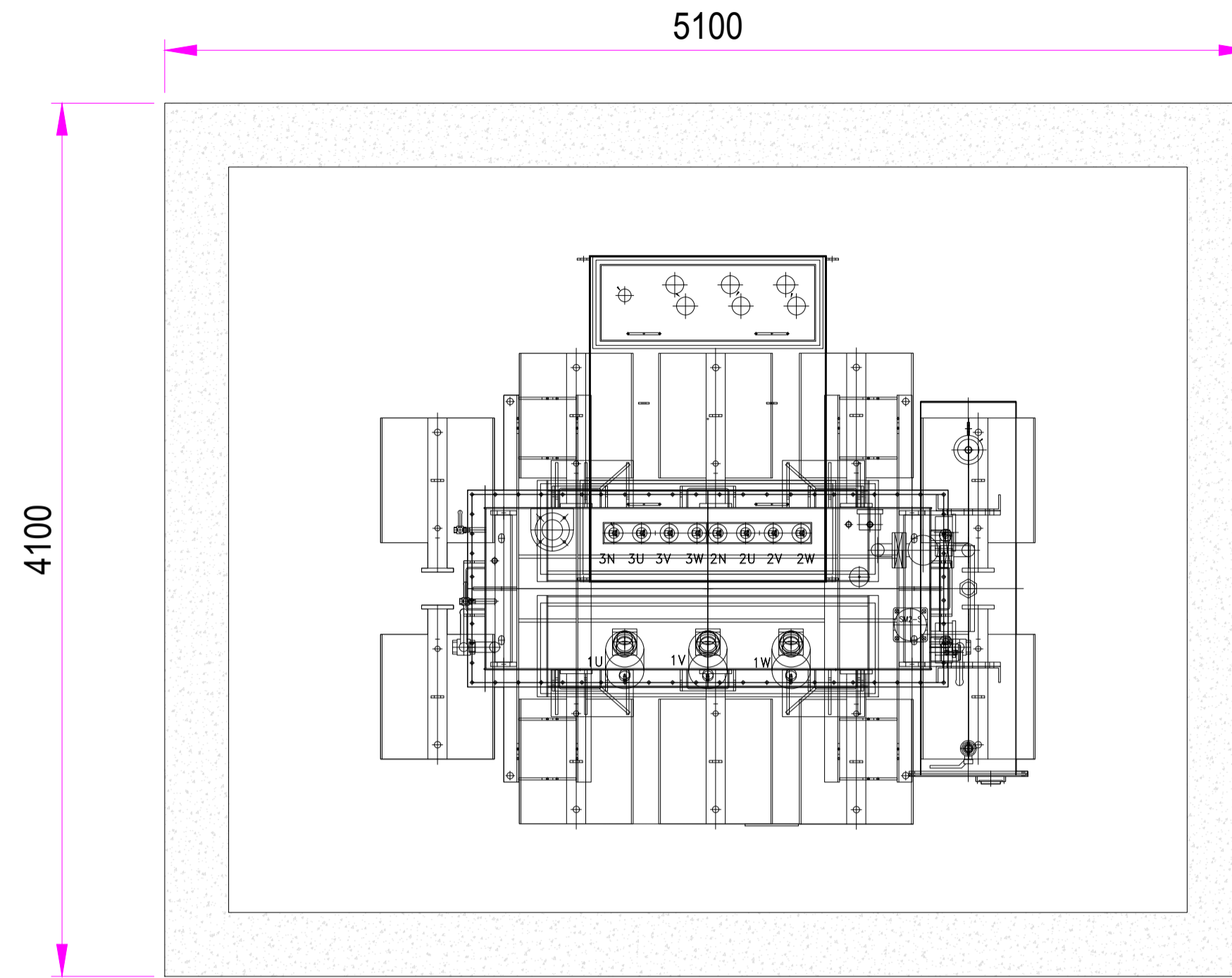
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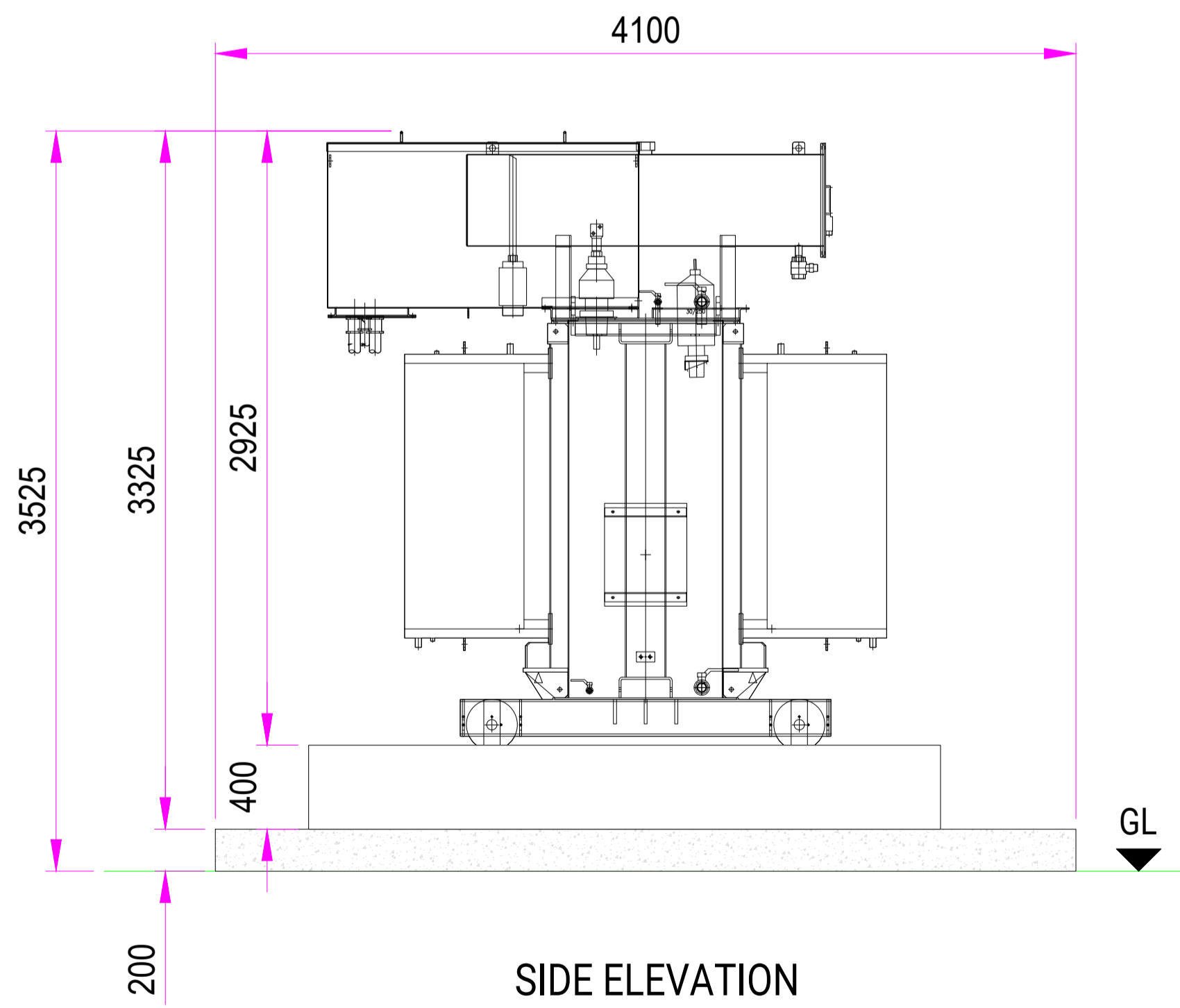
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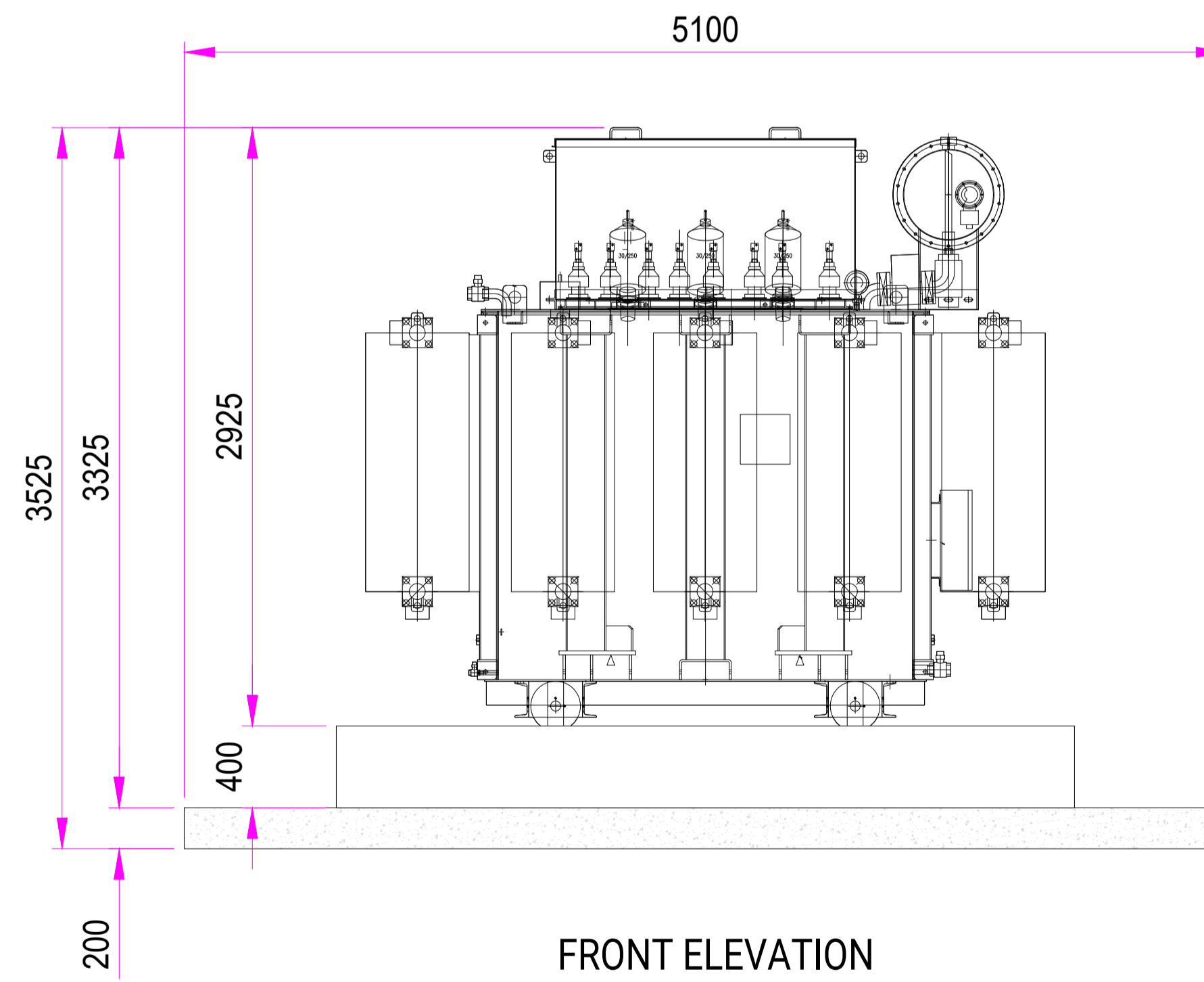
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PLAN VIEW



SIDE ELEVATION



FRONT ELEVATION



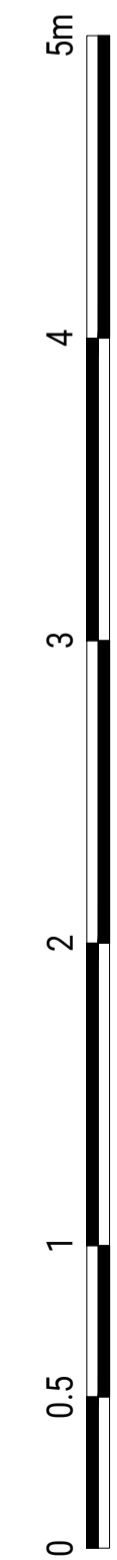
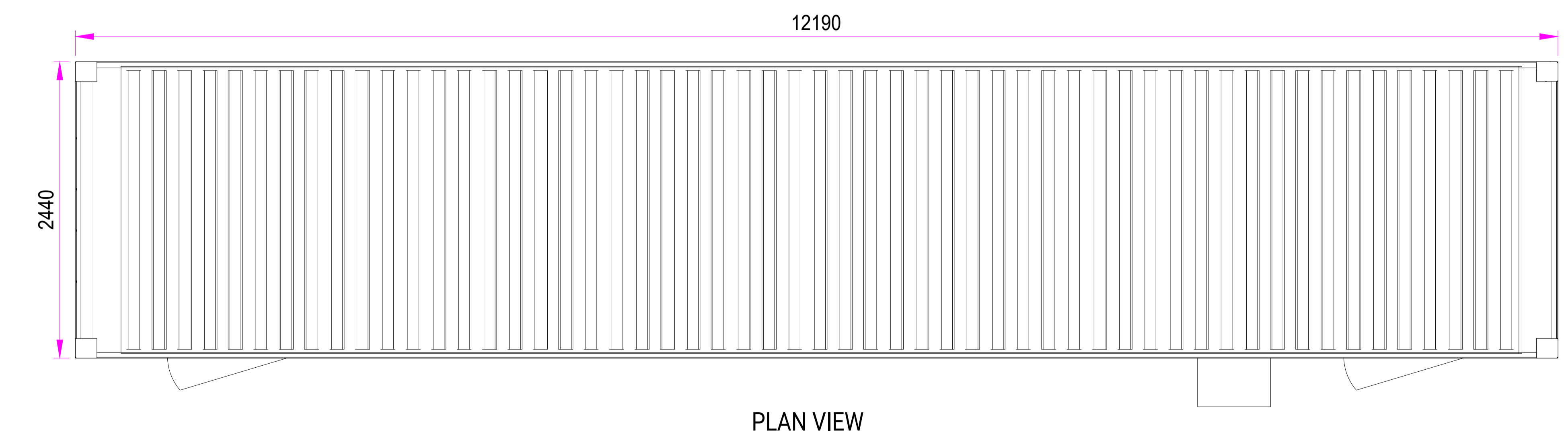
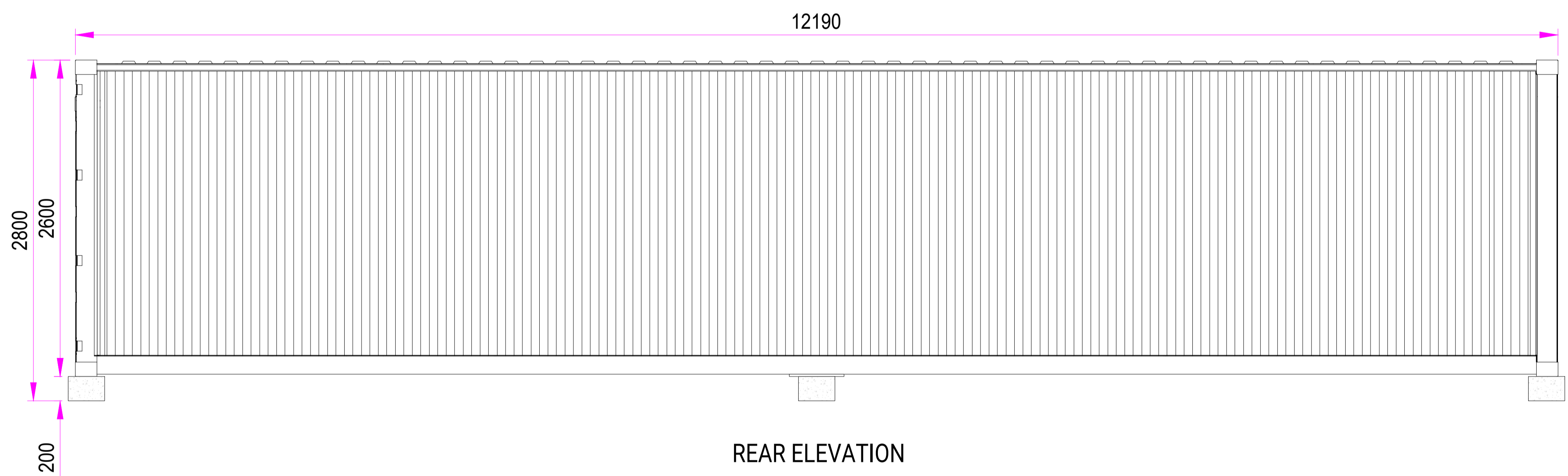
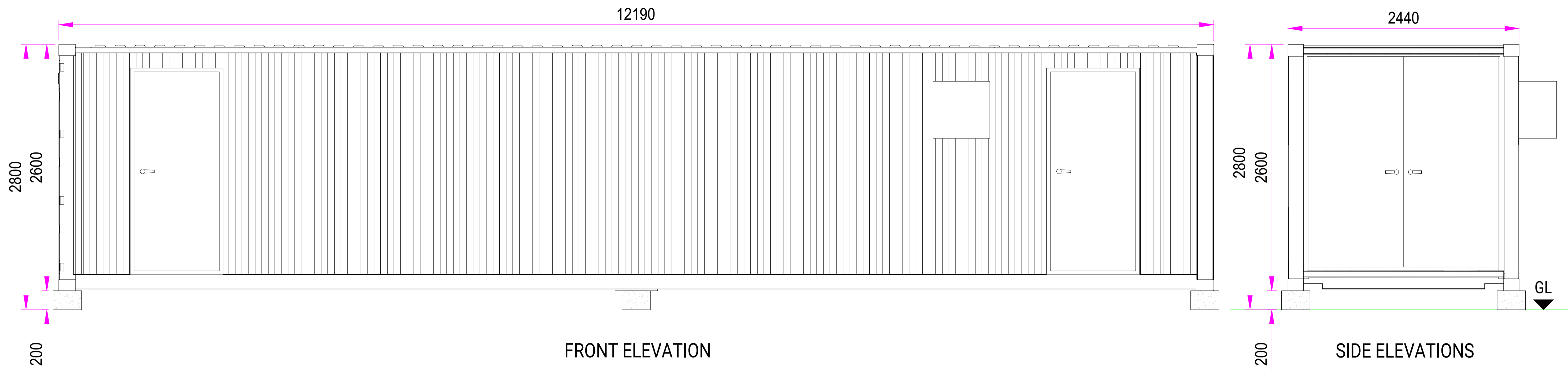
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No.	Revision/Issue	Date
-	First Issue	22.06.20



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 BATTERY**
 BUSTLEHOLME, WS5 4SJ

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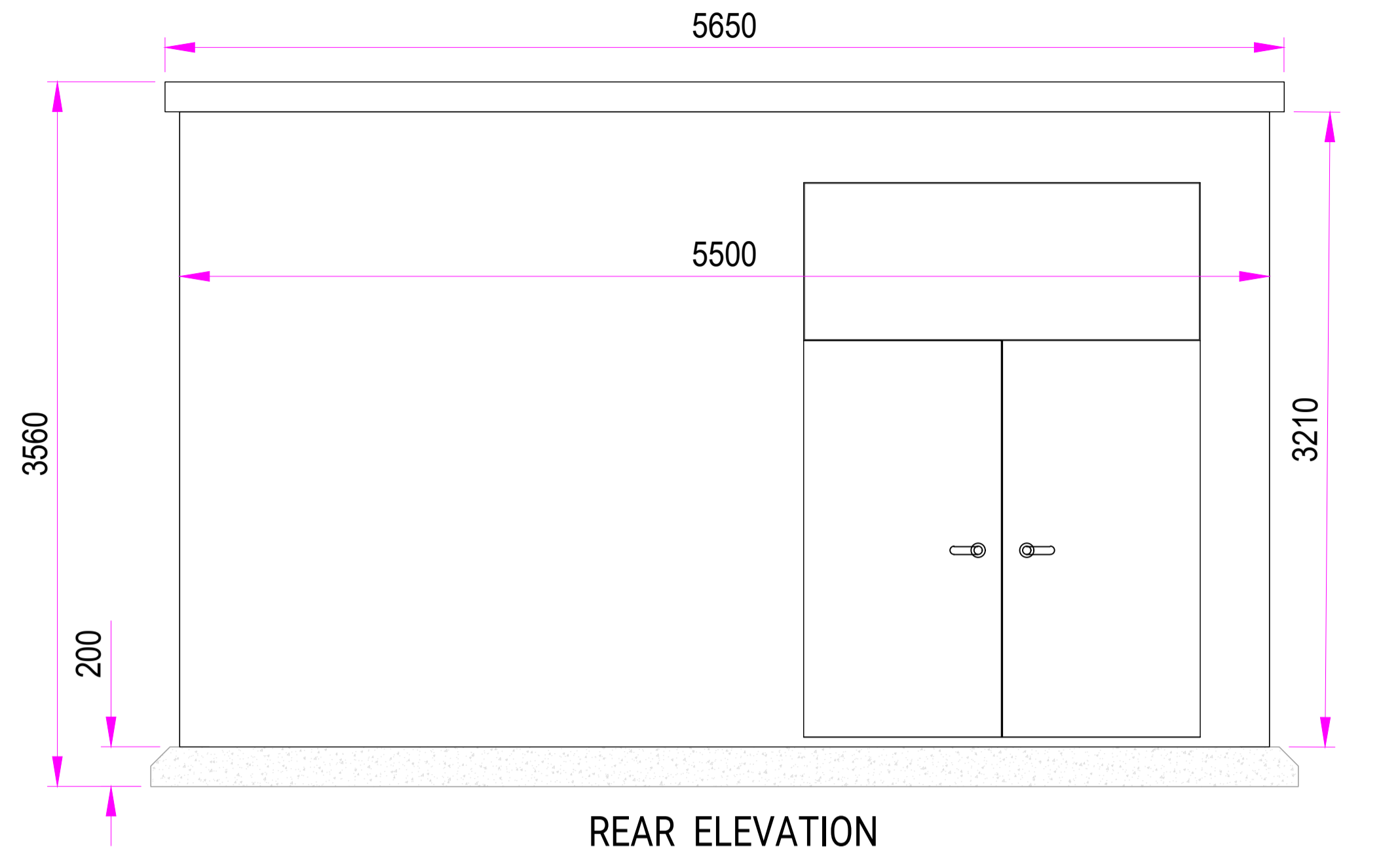


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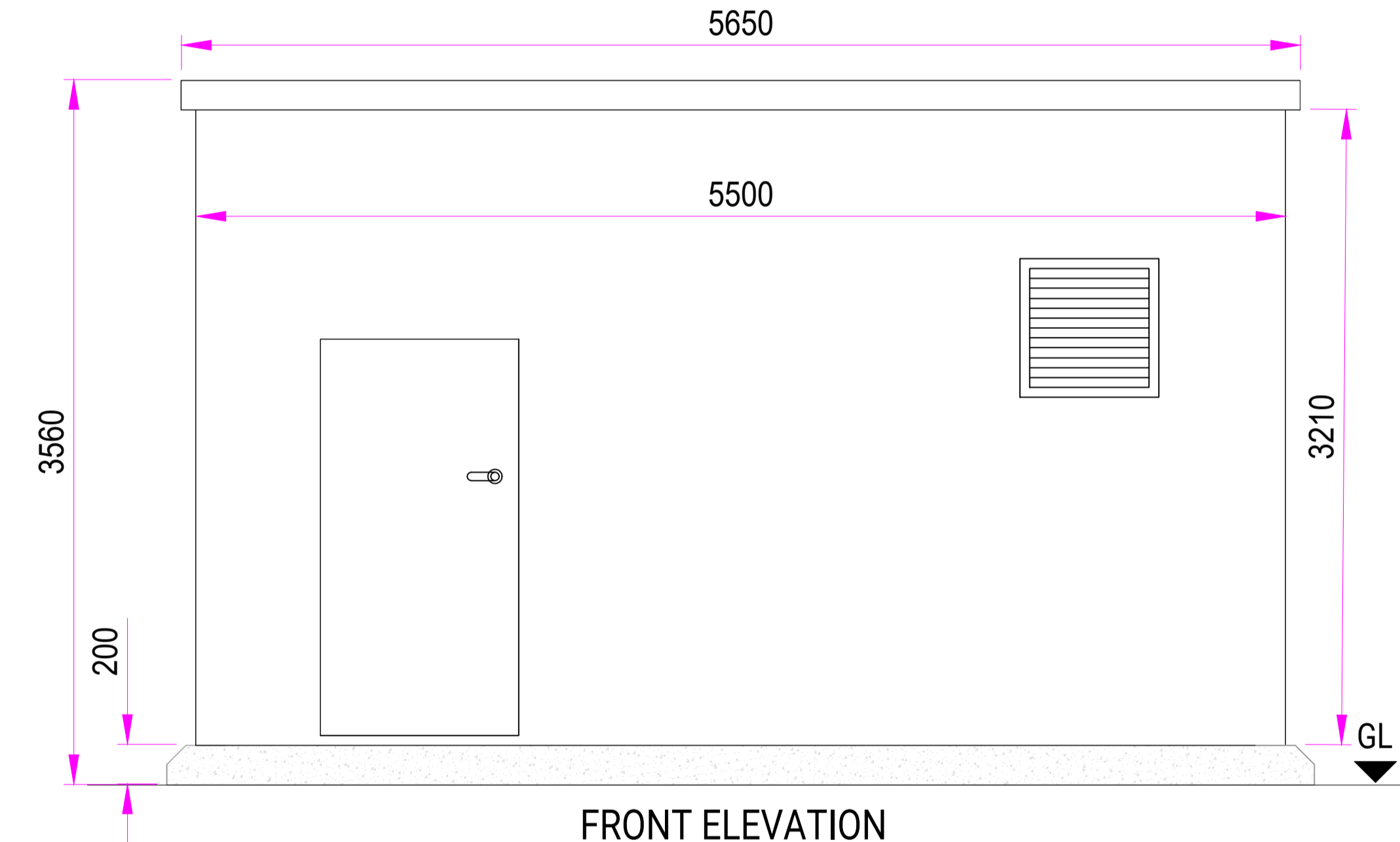
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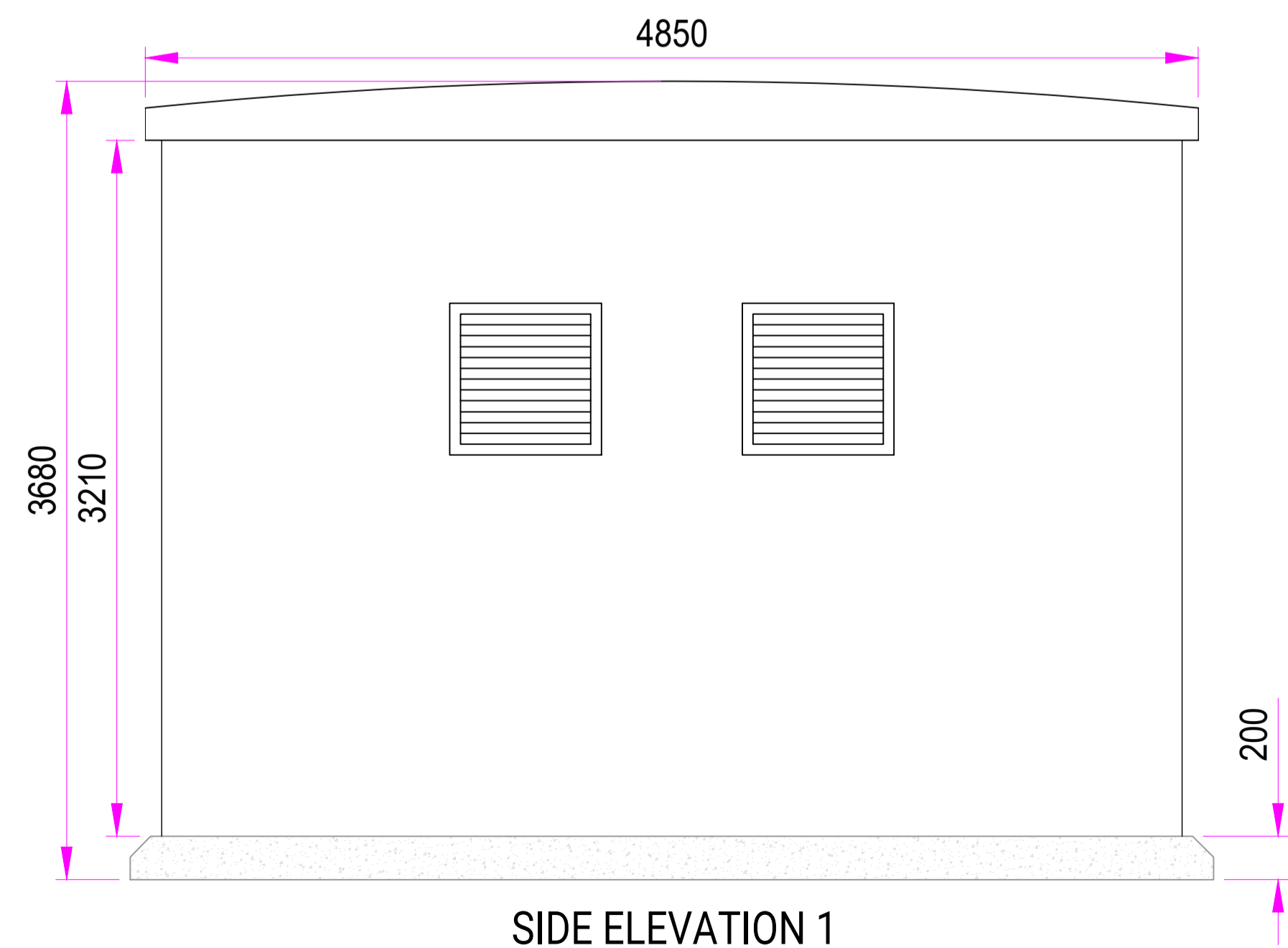
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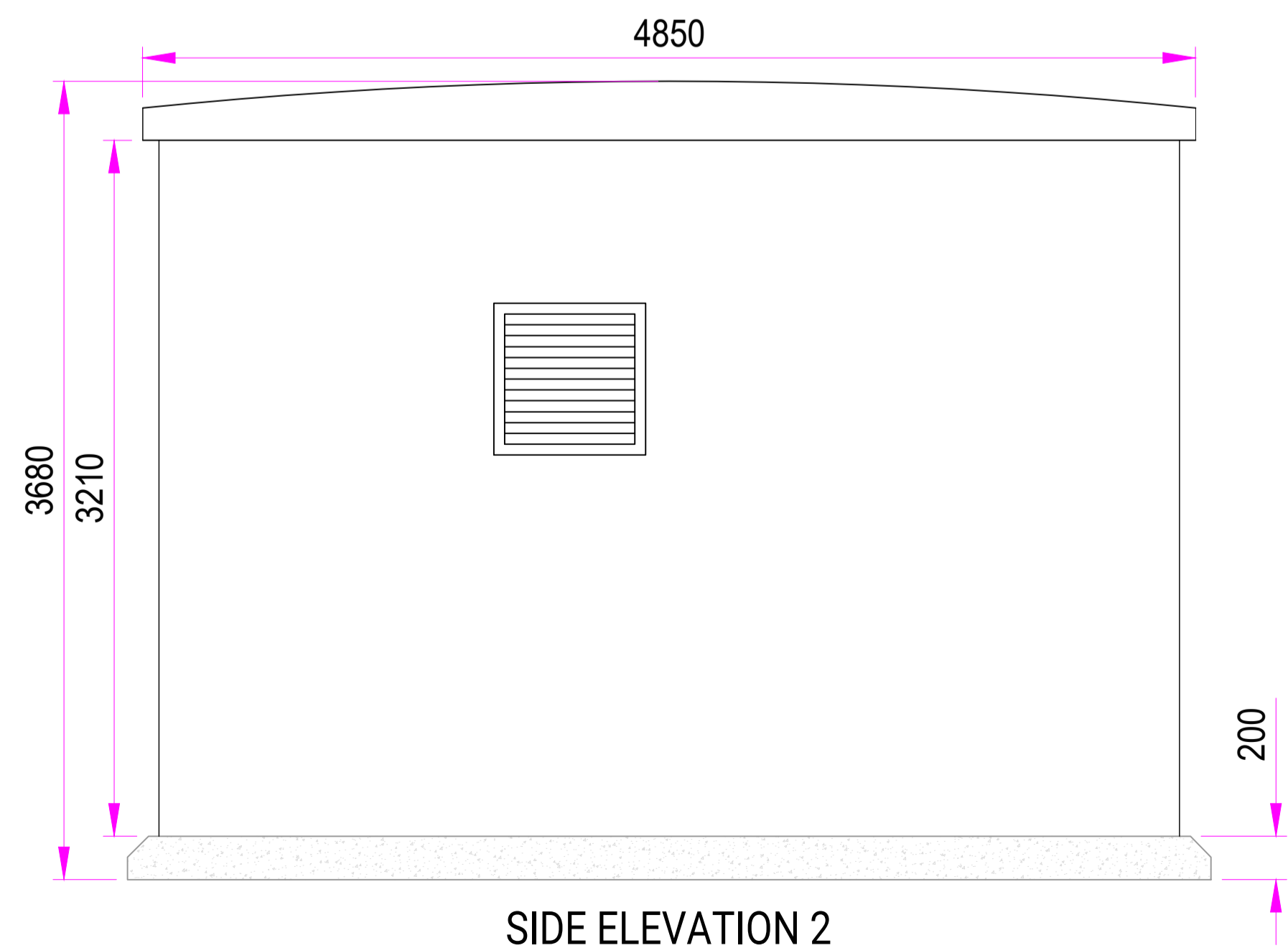
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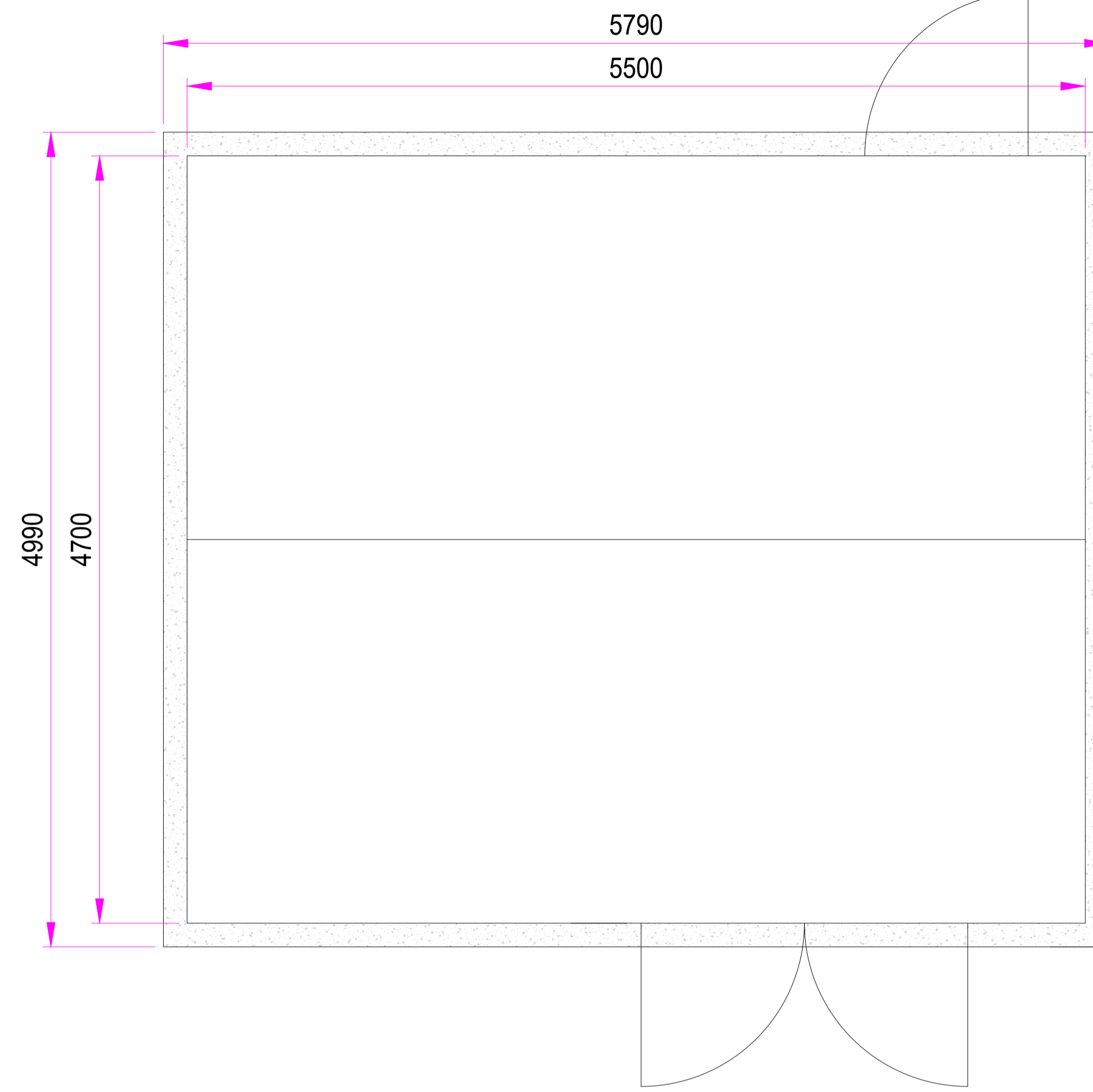
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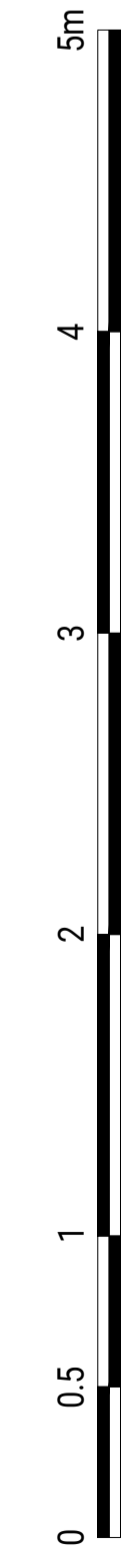
SIDE ELEVATION 1



SIDE ELEVATION 2



PLAN VIEW



General Notes

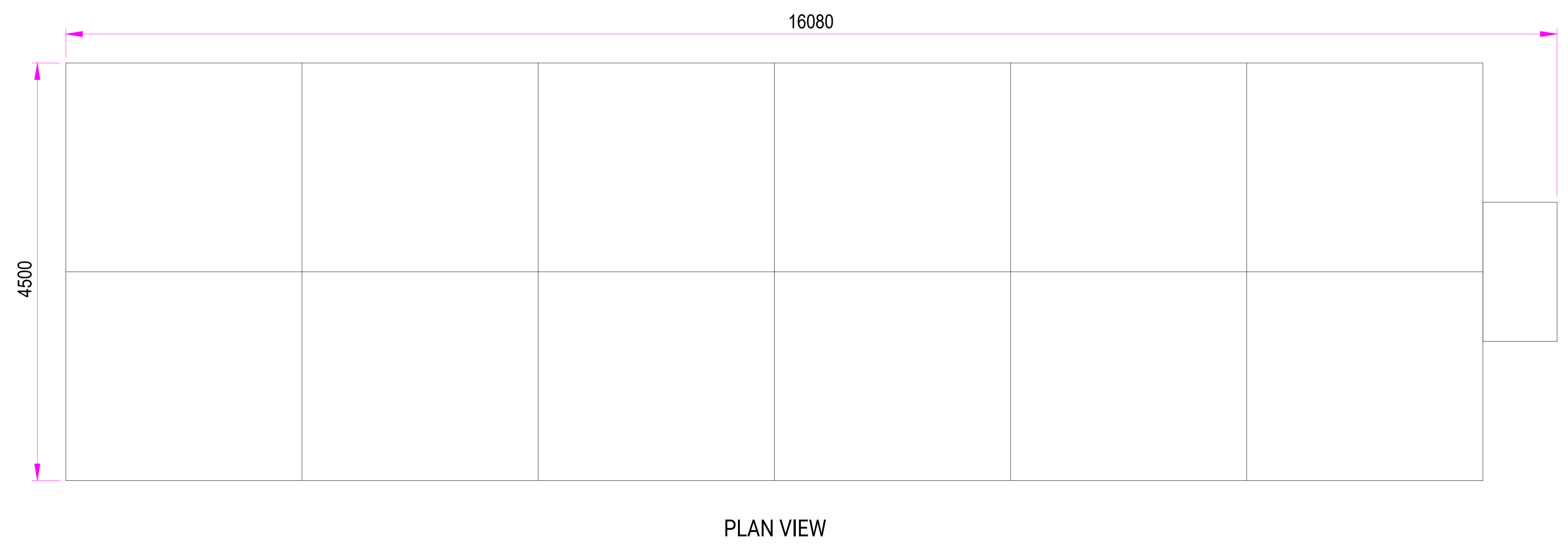
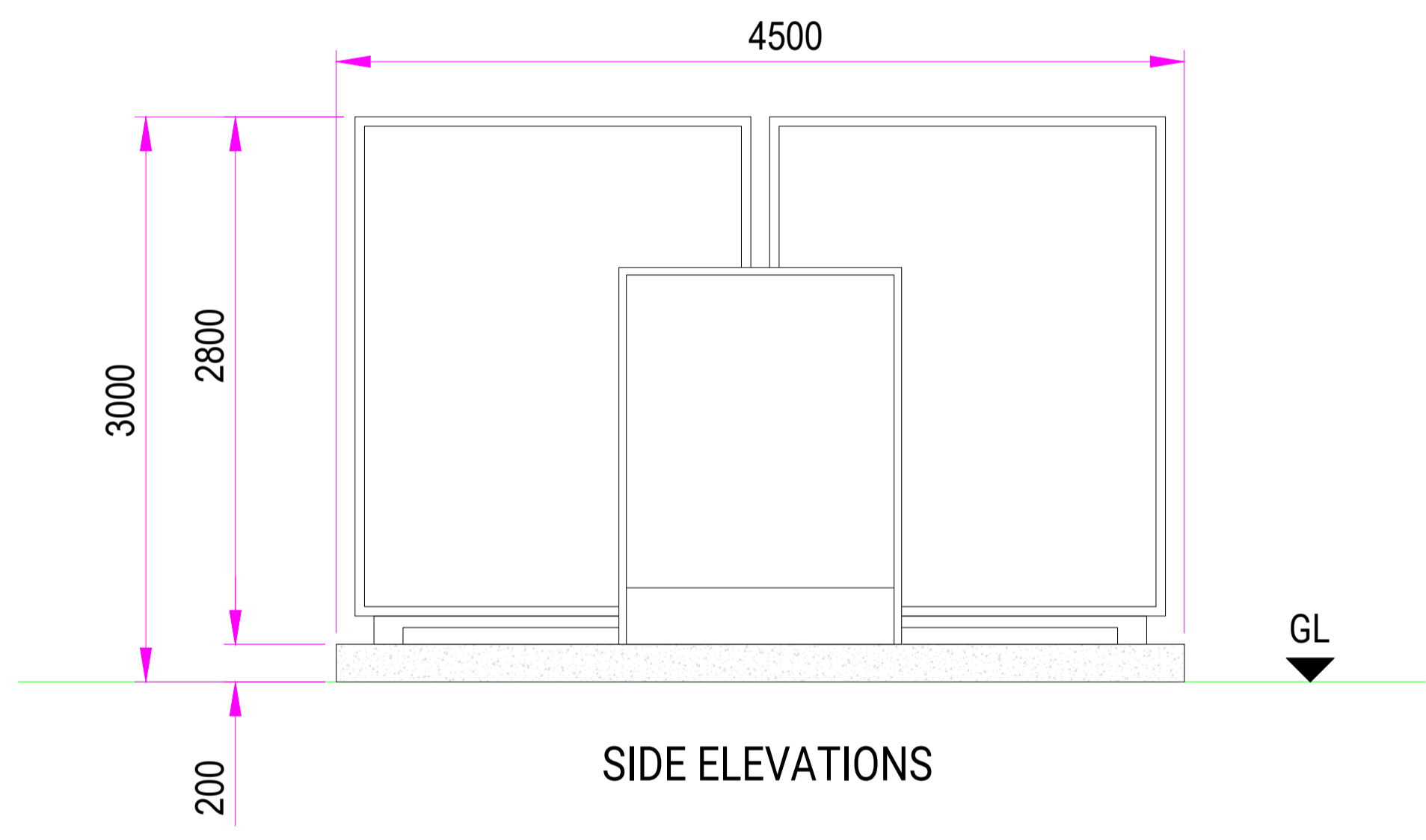
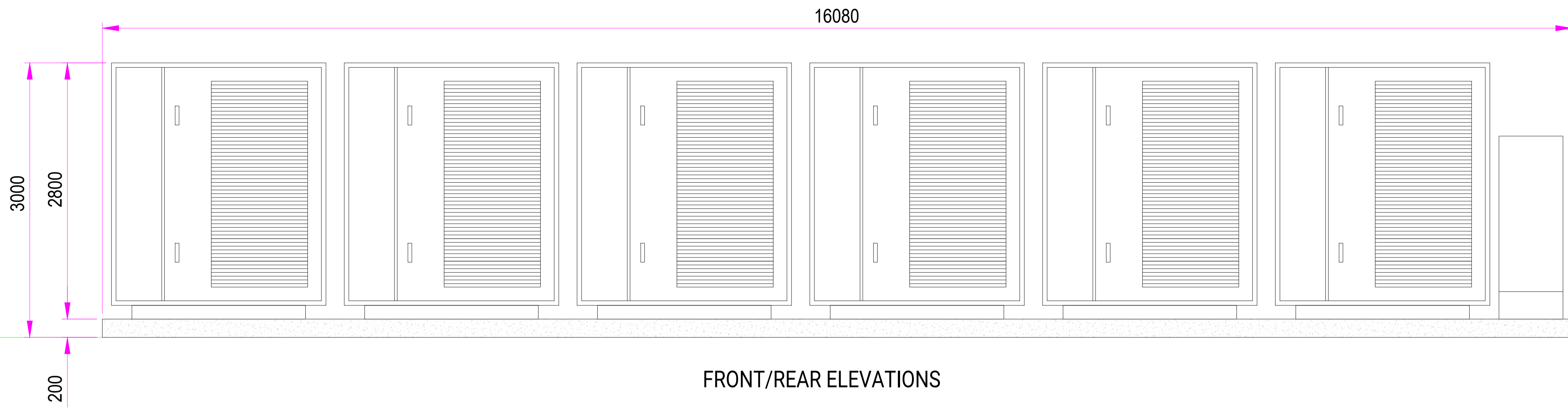
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-	First Issue	22.06.20



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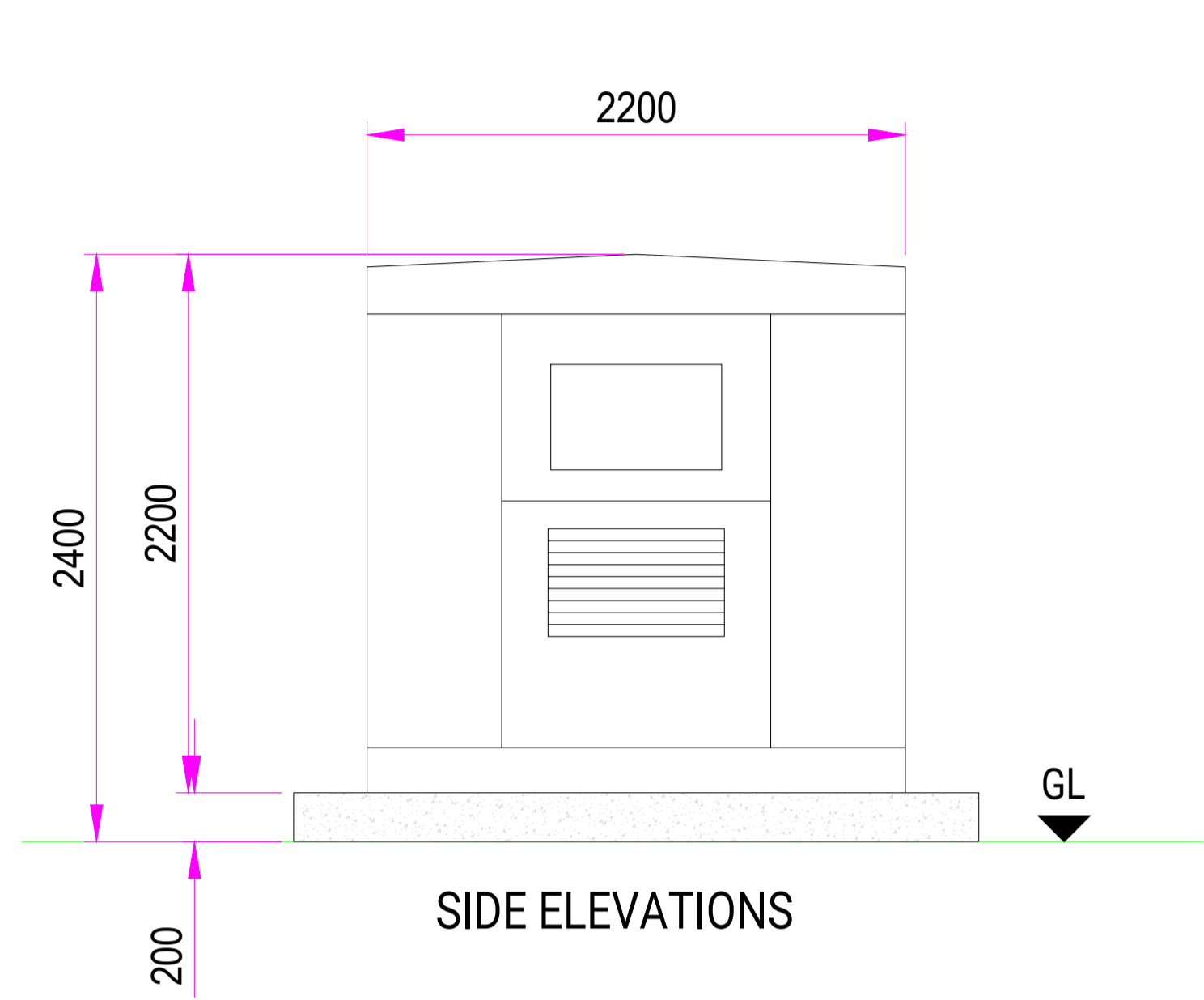
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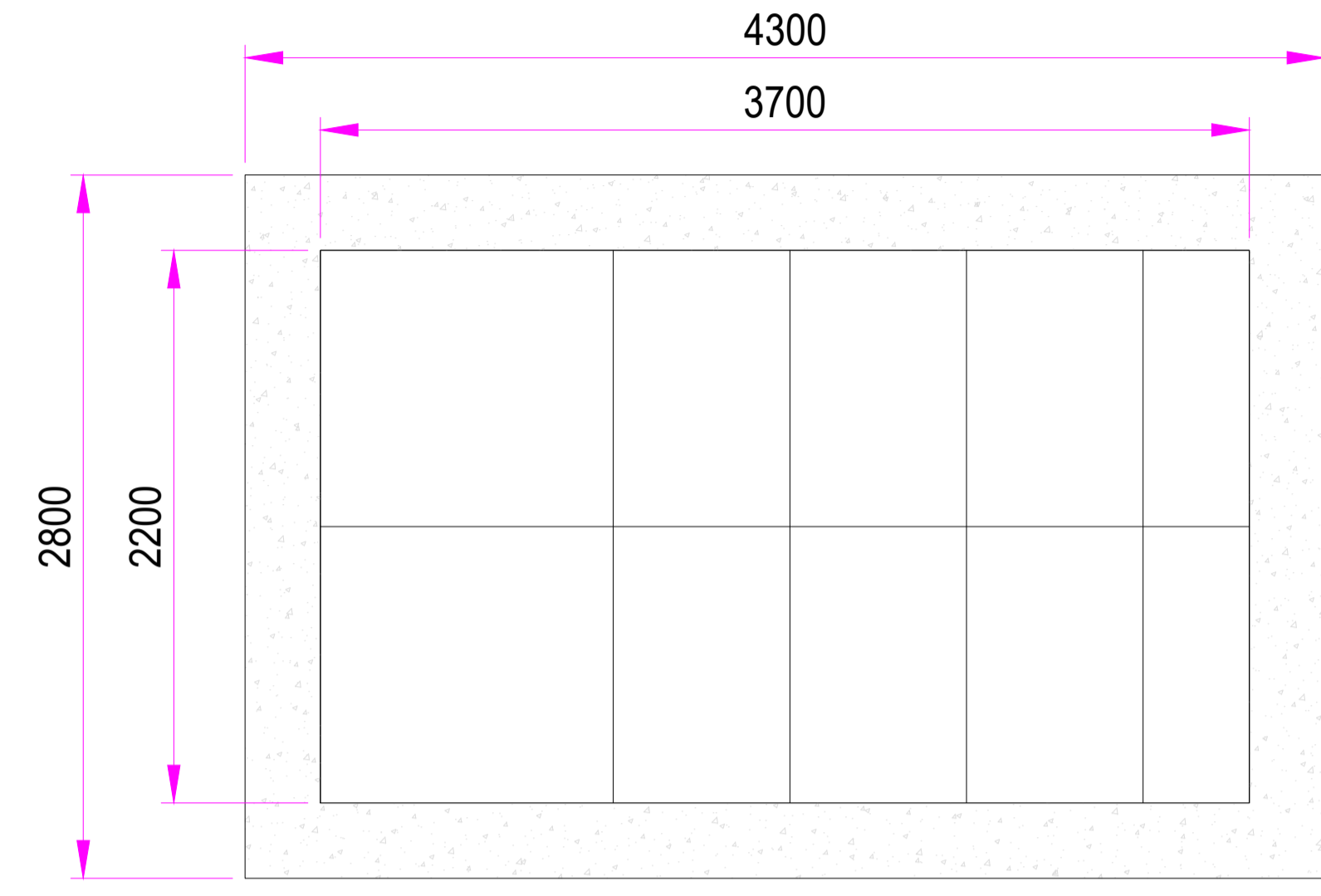
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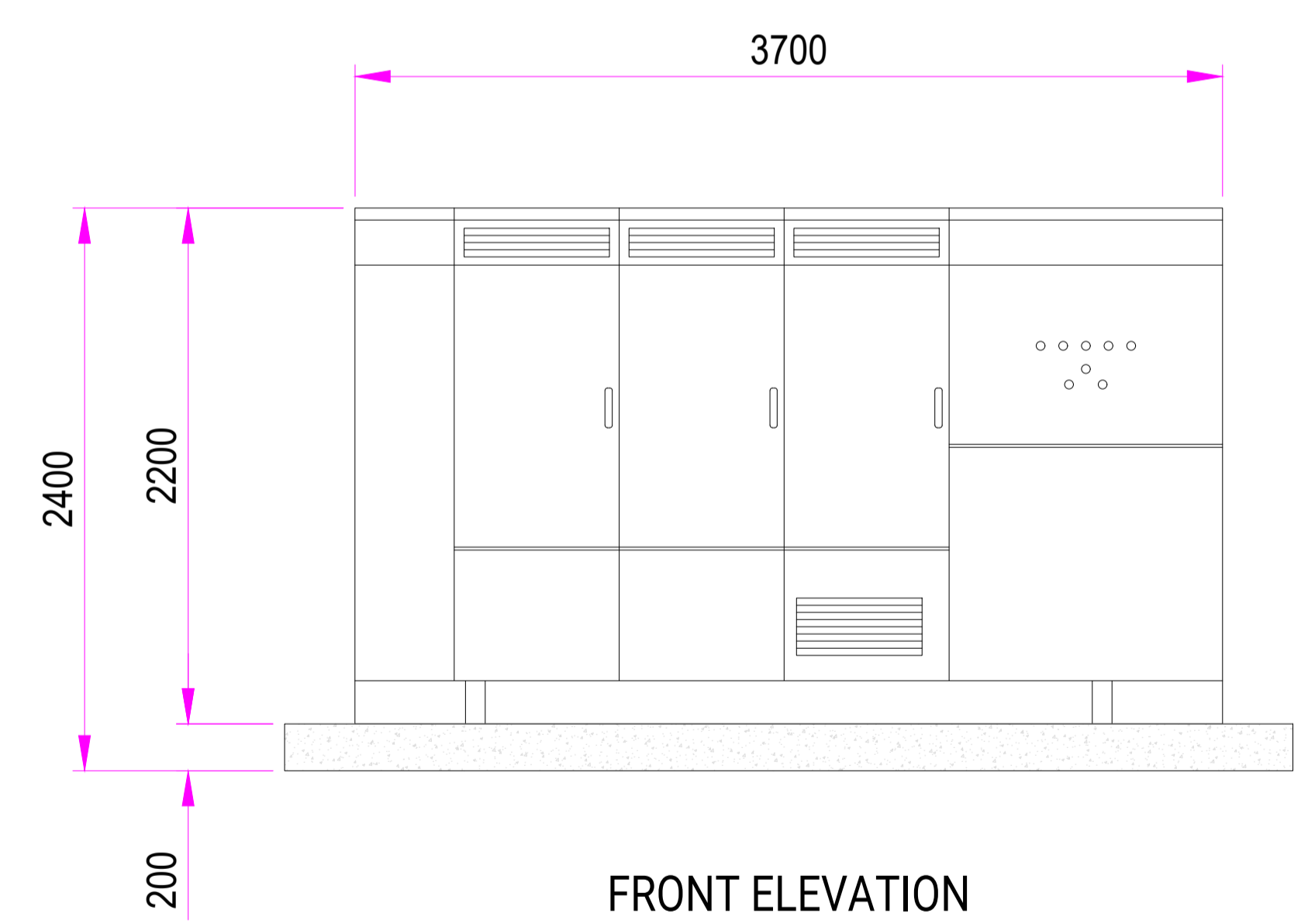
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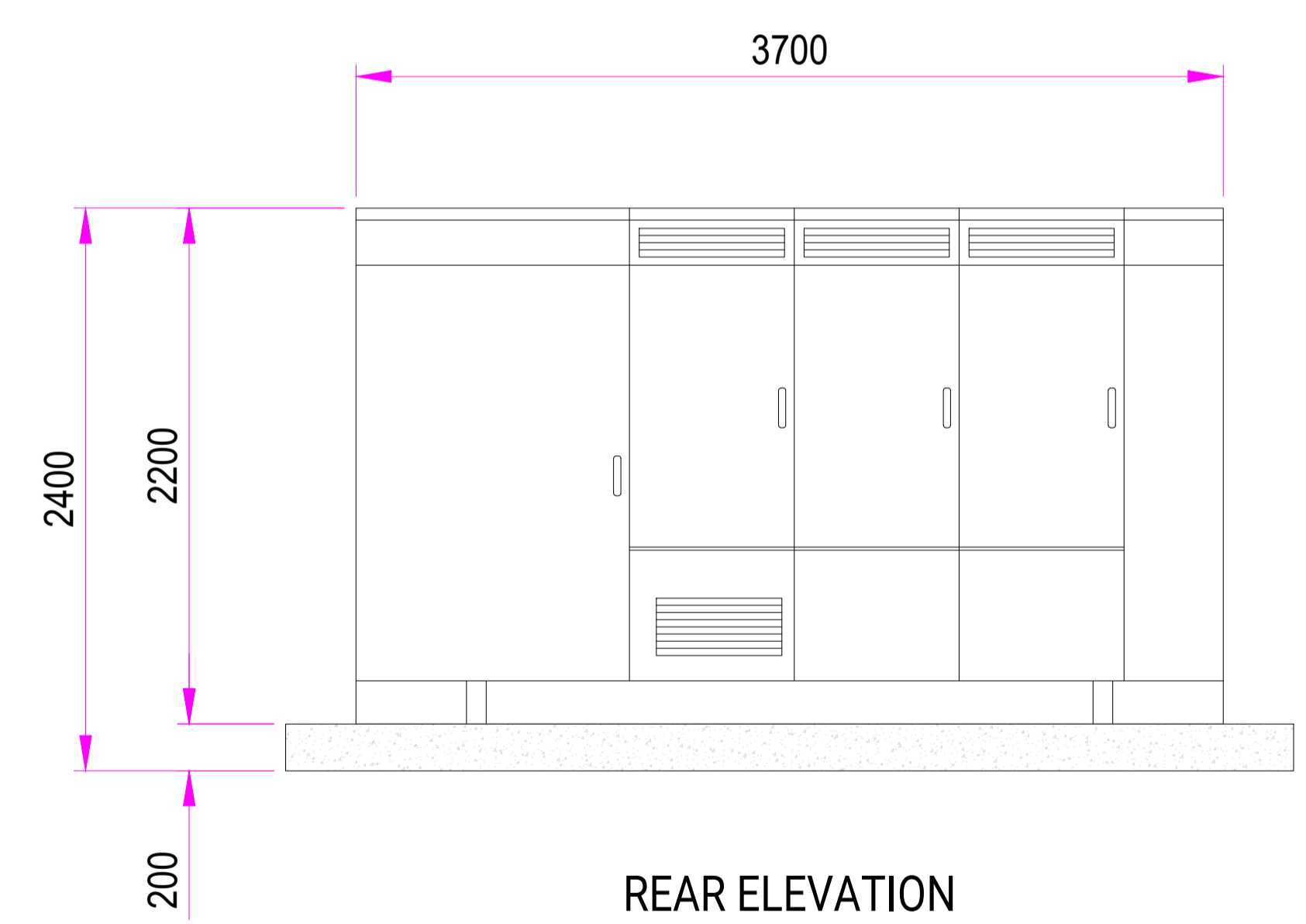
SIDE ELEVATIONS



PLAN VIEW



FRONT ELEVATION



REAR ELEVATION



General Notes		
-	First Issue	22.06.20
No.	Revision/Issue	Date



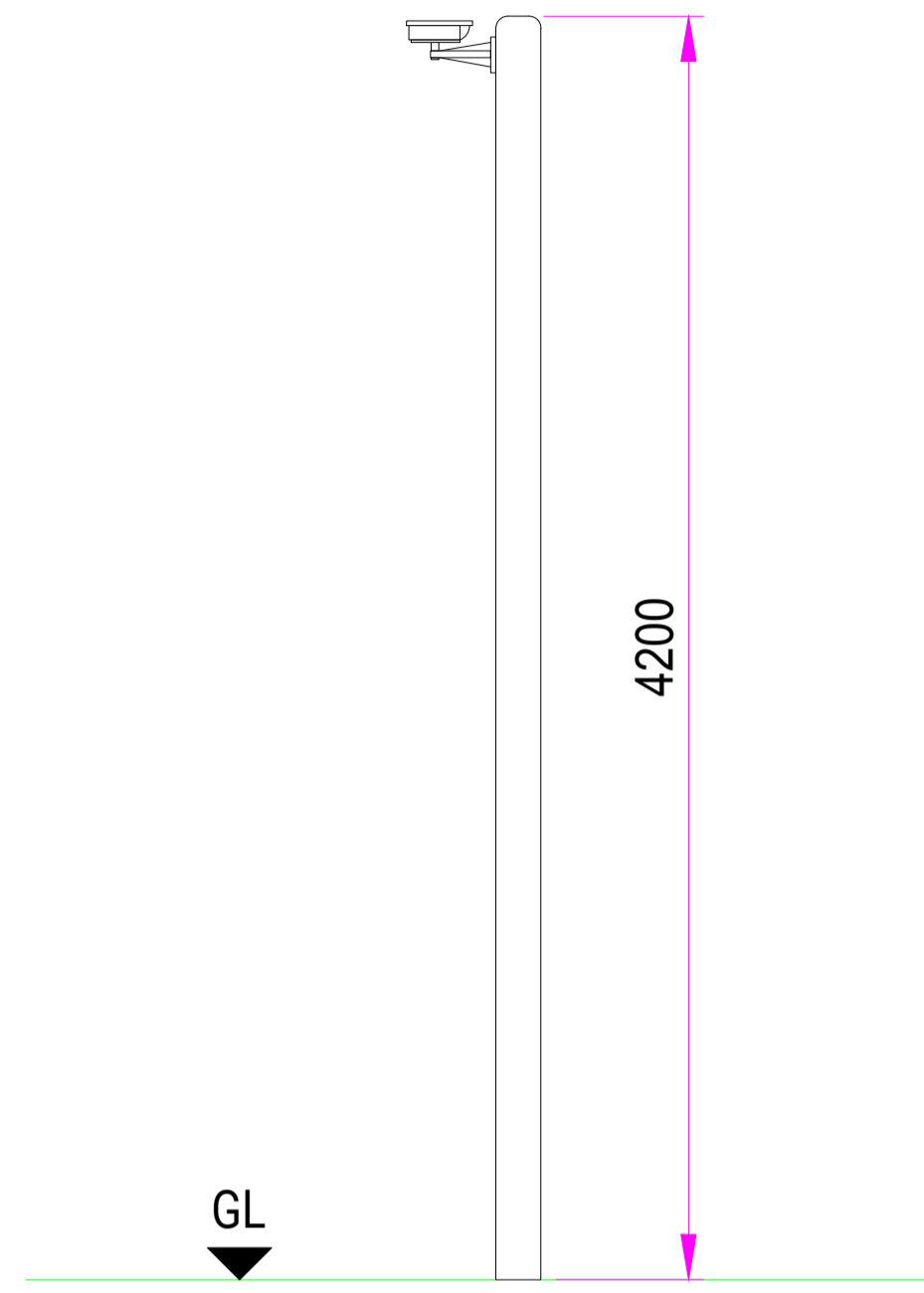
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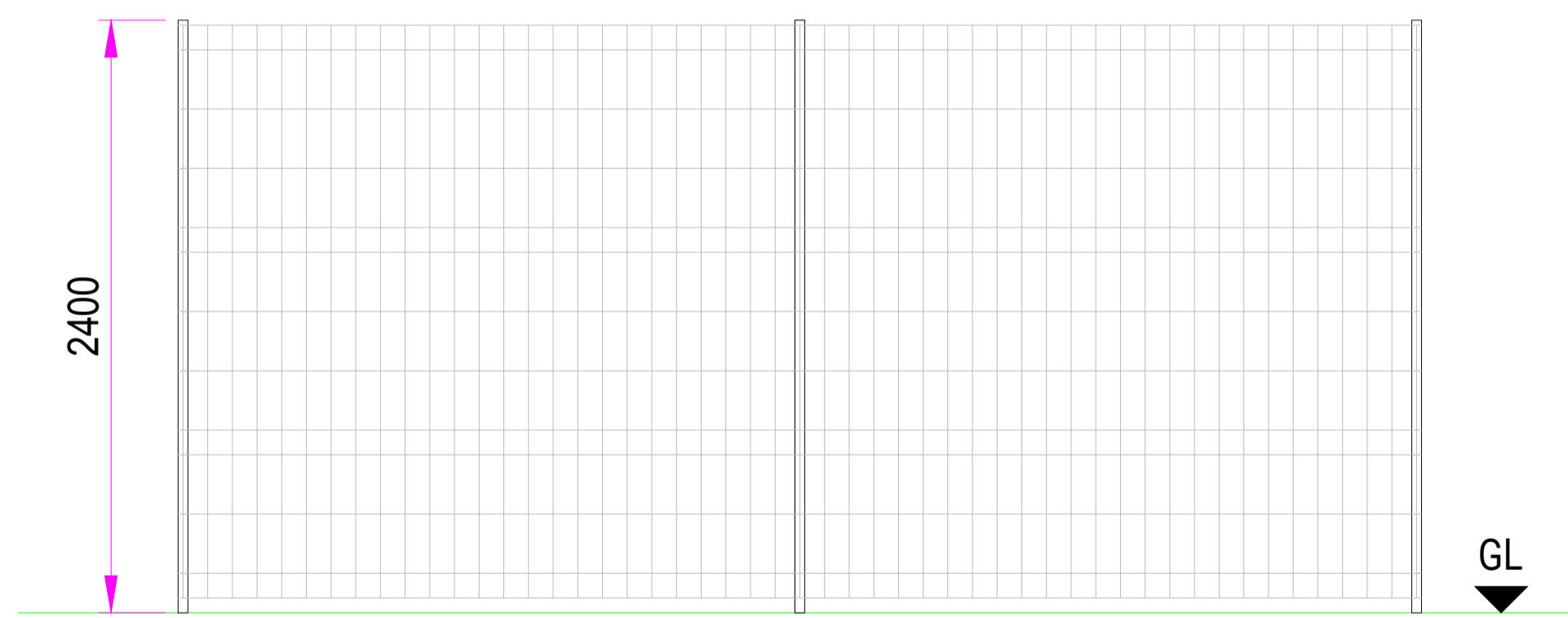
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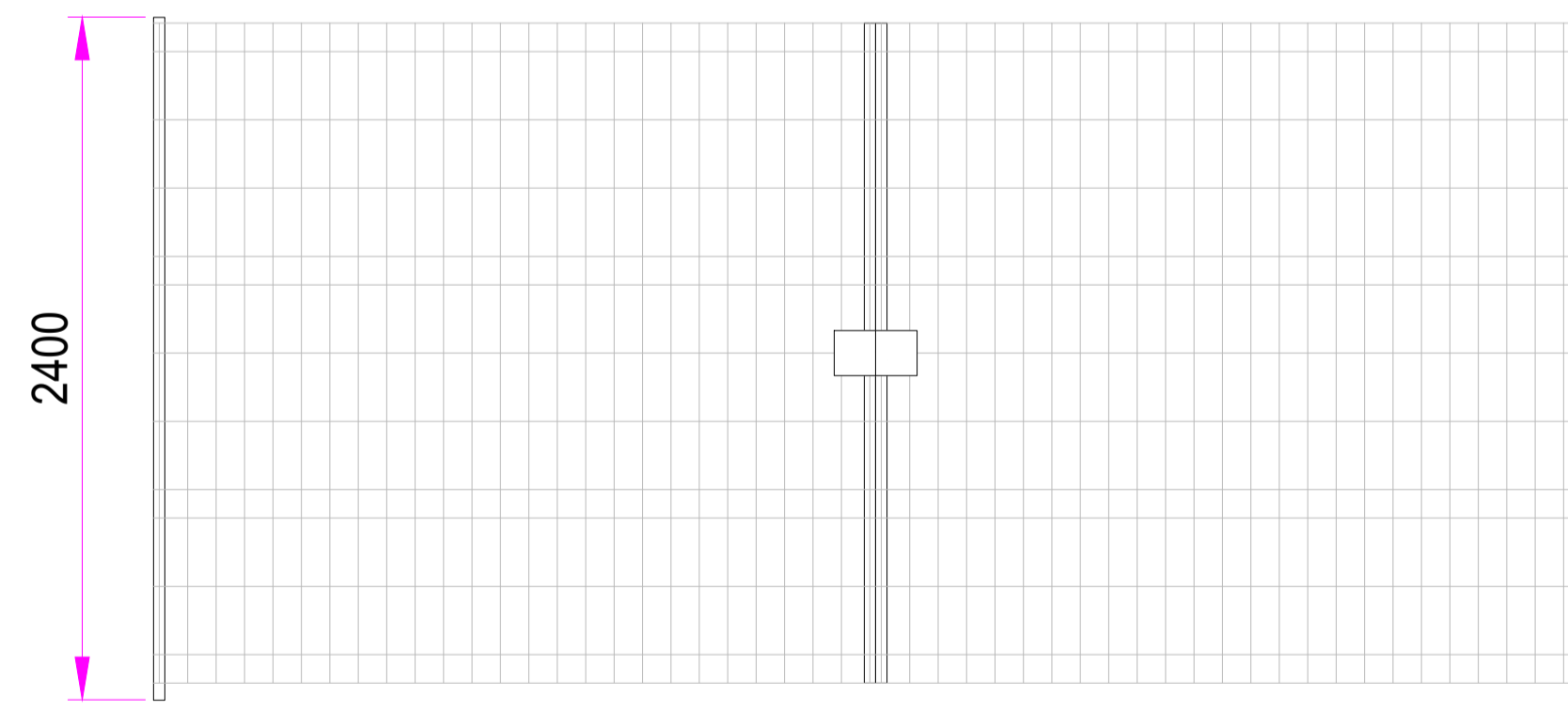
WELDED MESH FENCE EXAMPLE



CCTV ELEVATION



WELDED MESH FENCE ELEVATION



GATE ELEVATION



General Notes		
No.	Revision/Issue	Date
-	First Issue	22.06.20

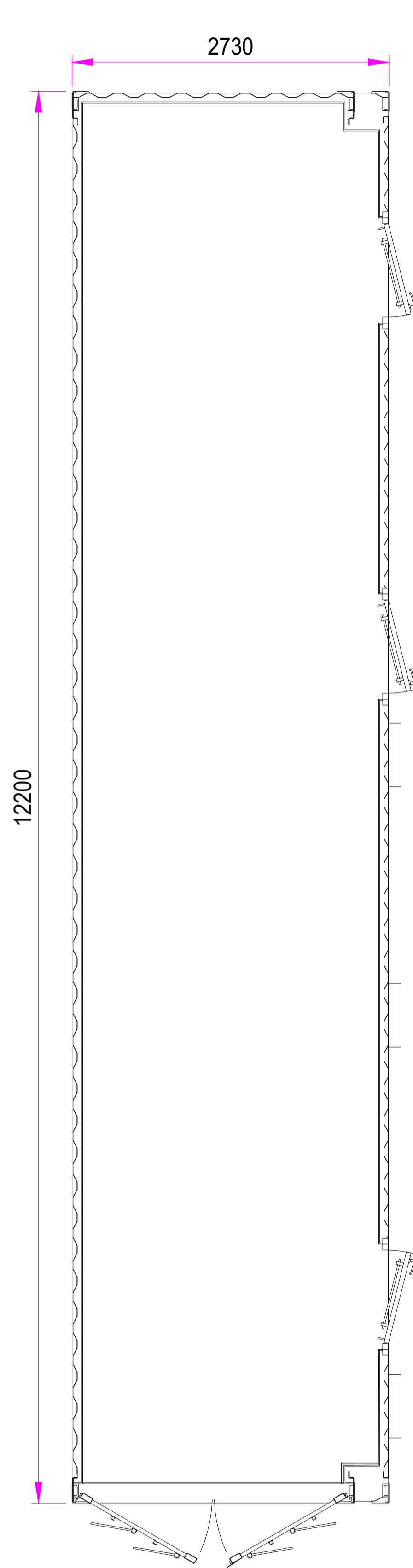


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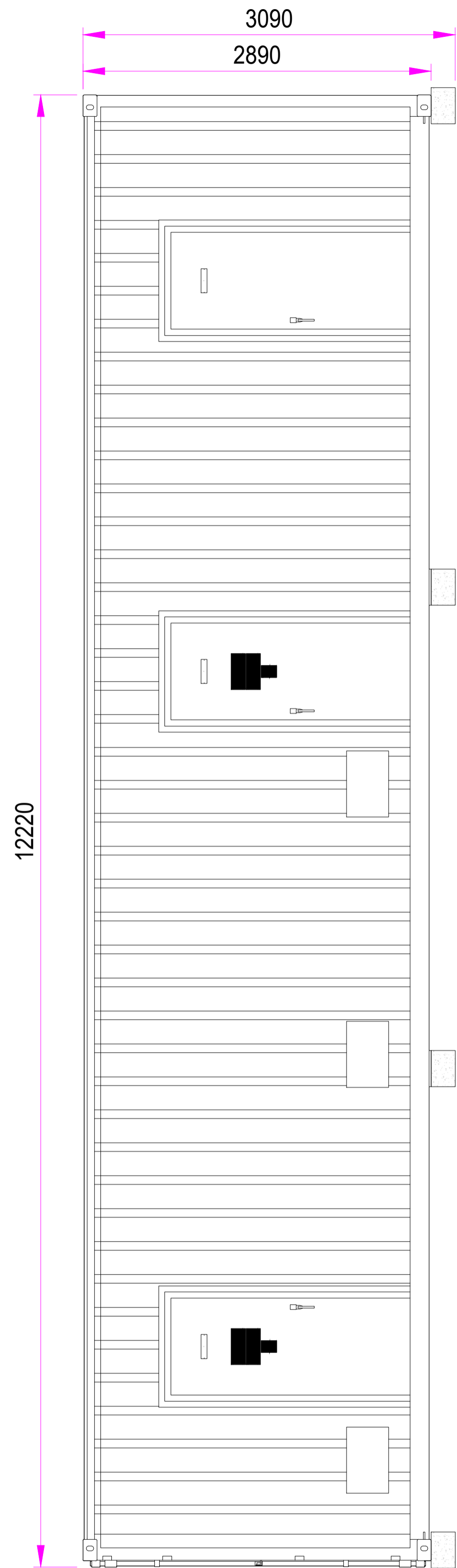
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 FENCING & CCTV
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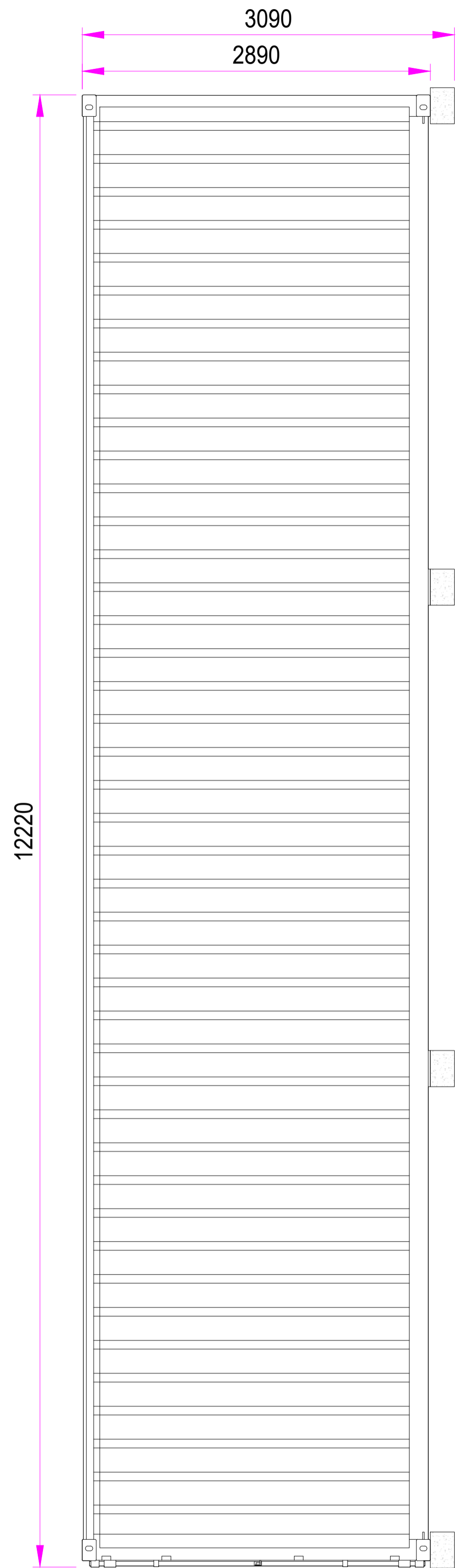
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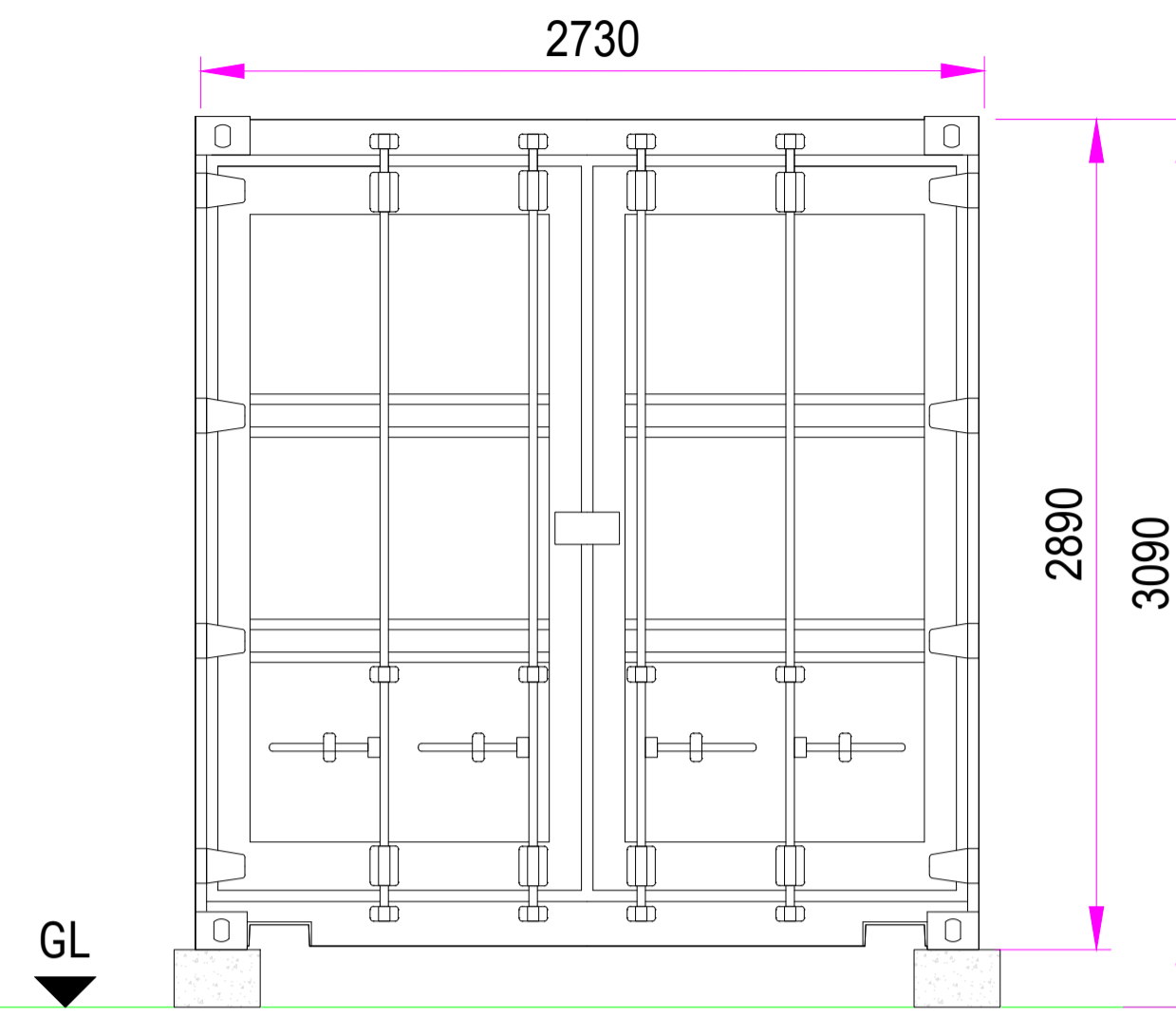
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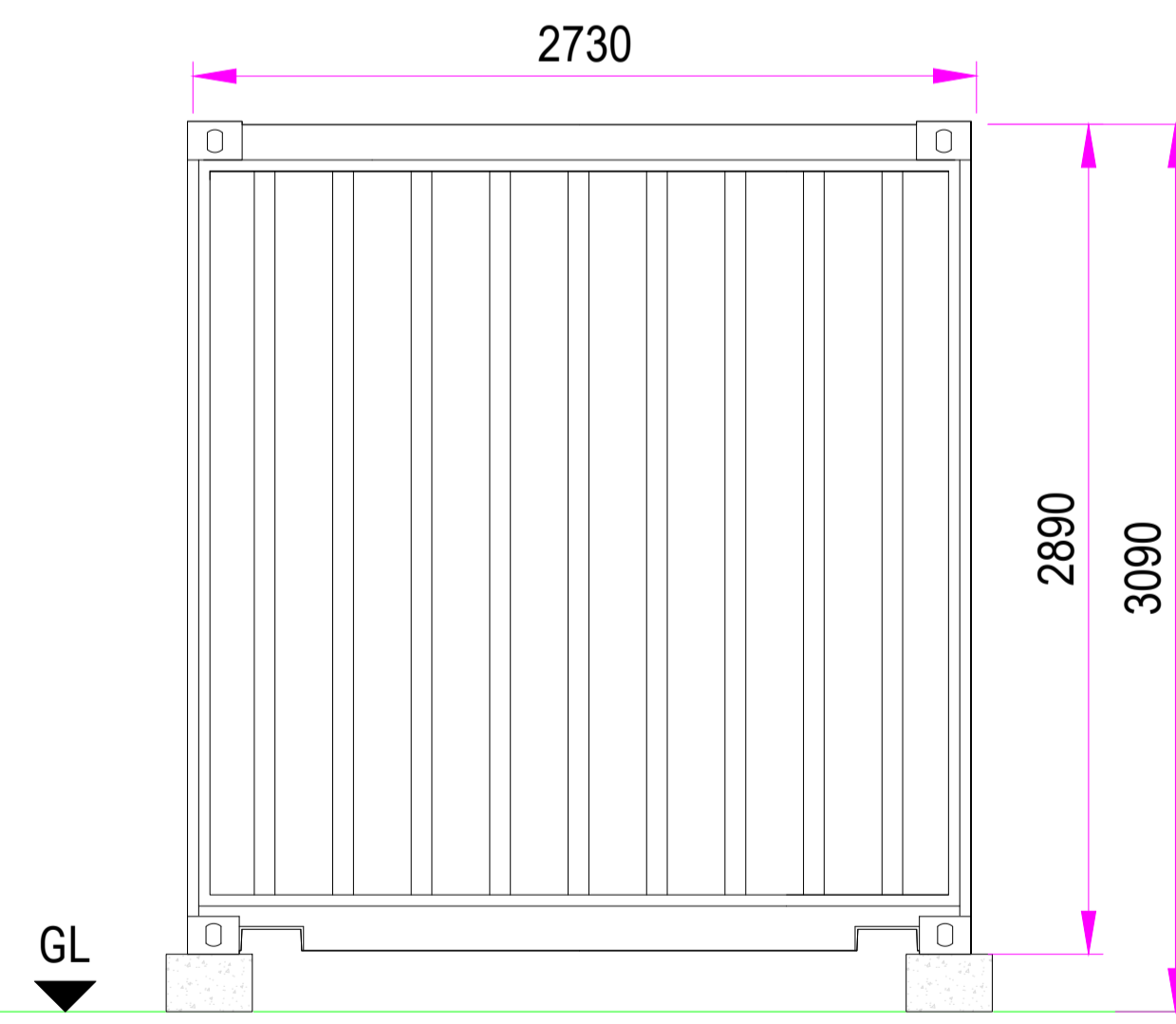
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REAR ELEVATION – scale 1:30 @A1



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SIDE ELEVATION B – scale 1:25 @A1



General Notes

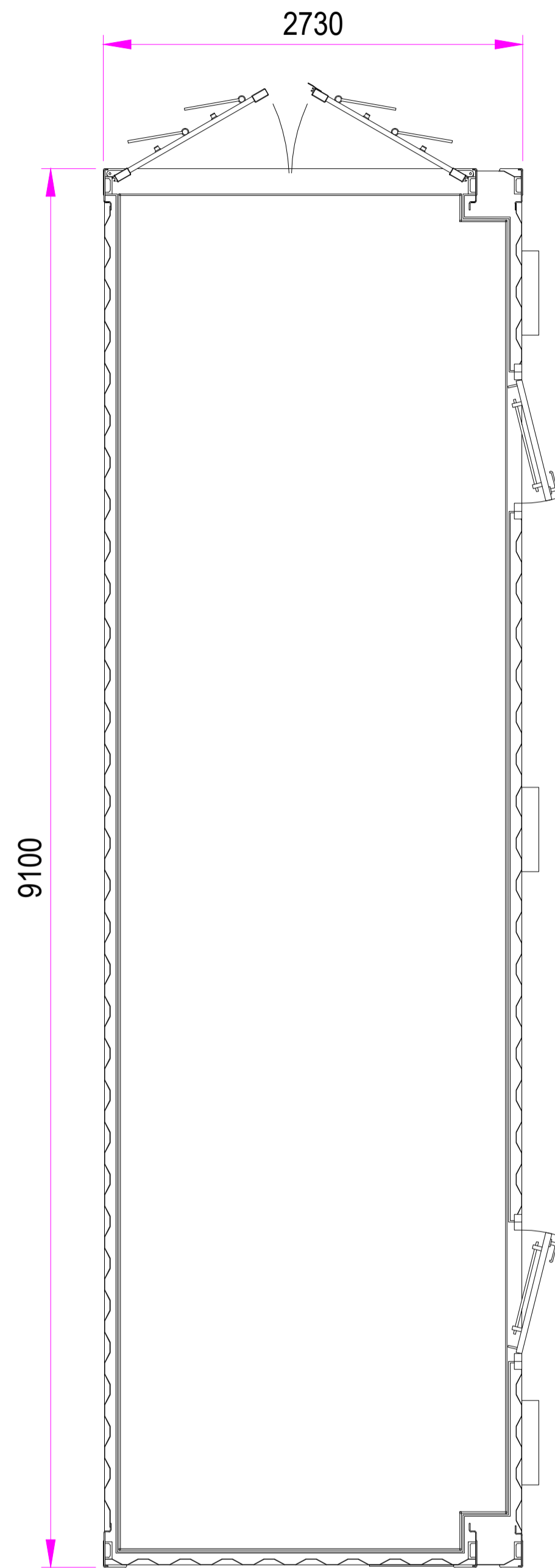
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-	First Issue	22.06.20

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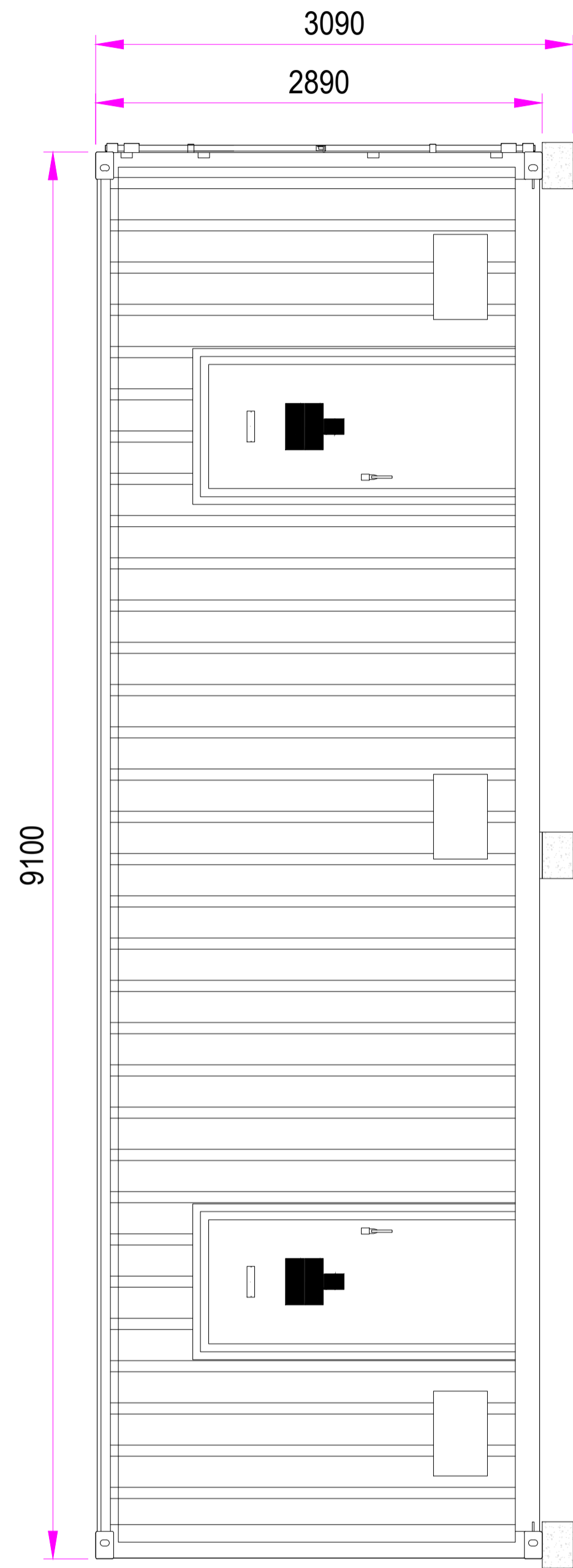
Project Name and Address
**BUSTLEHOLME SUBSTATION
 BATTERY**
 BUSTLEHOLME, WS5 4SJ

Drawing Title
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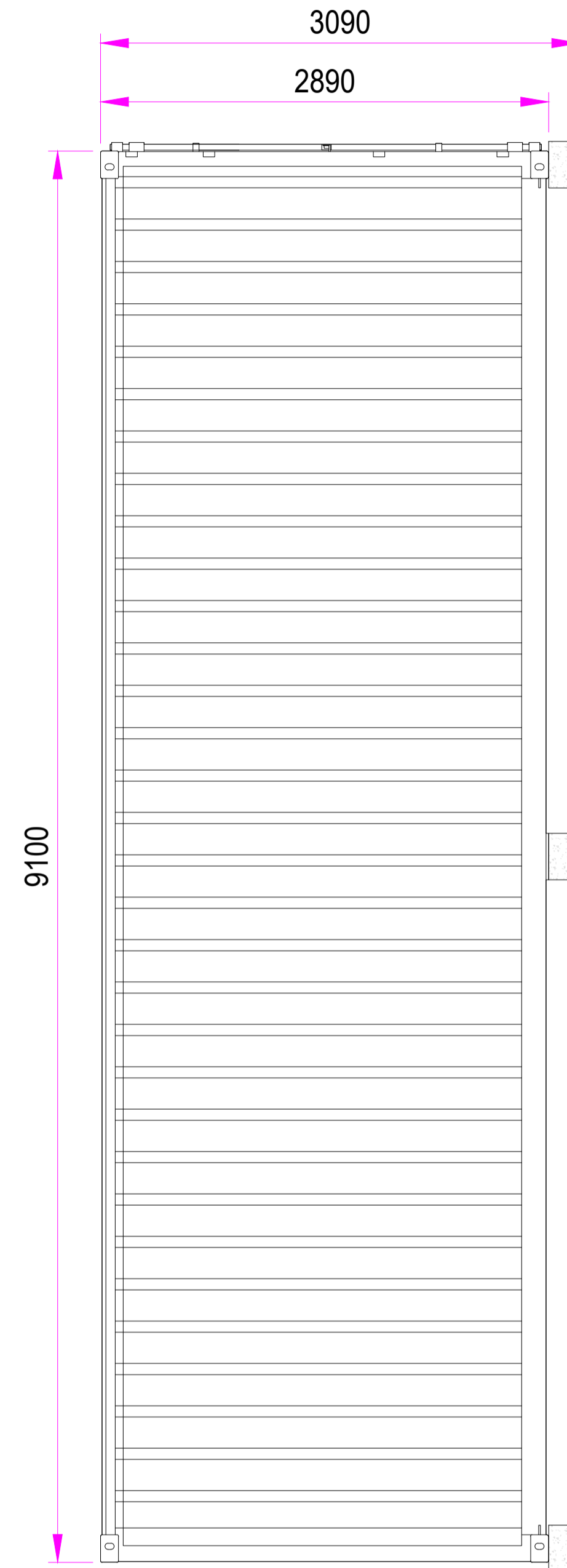
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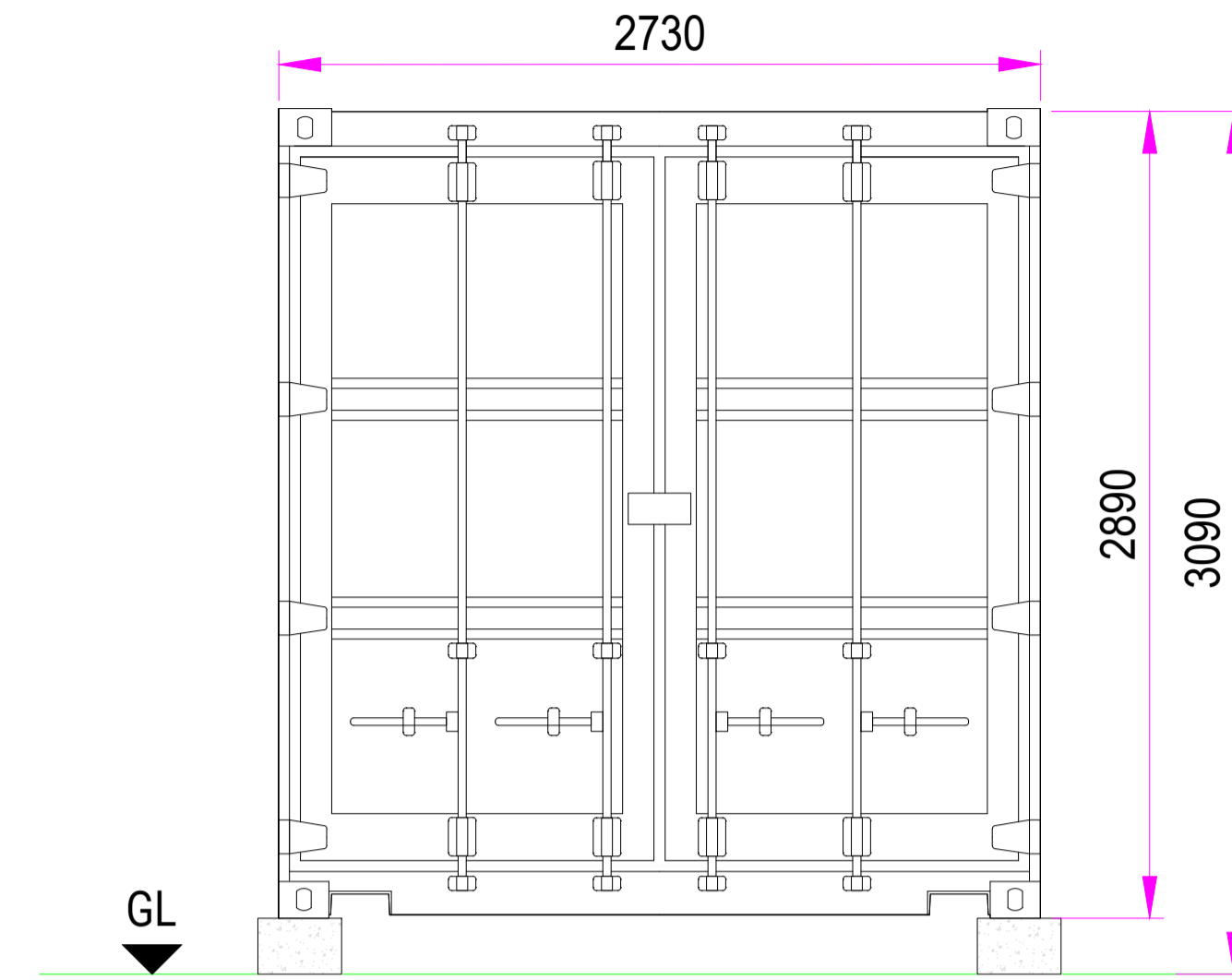
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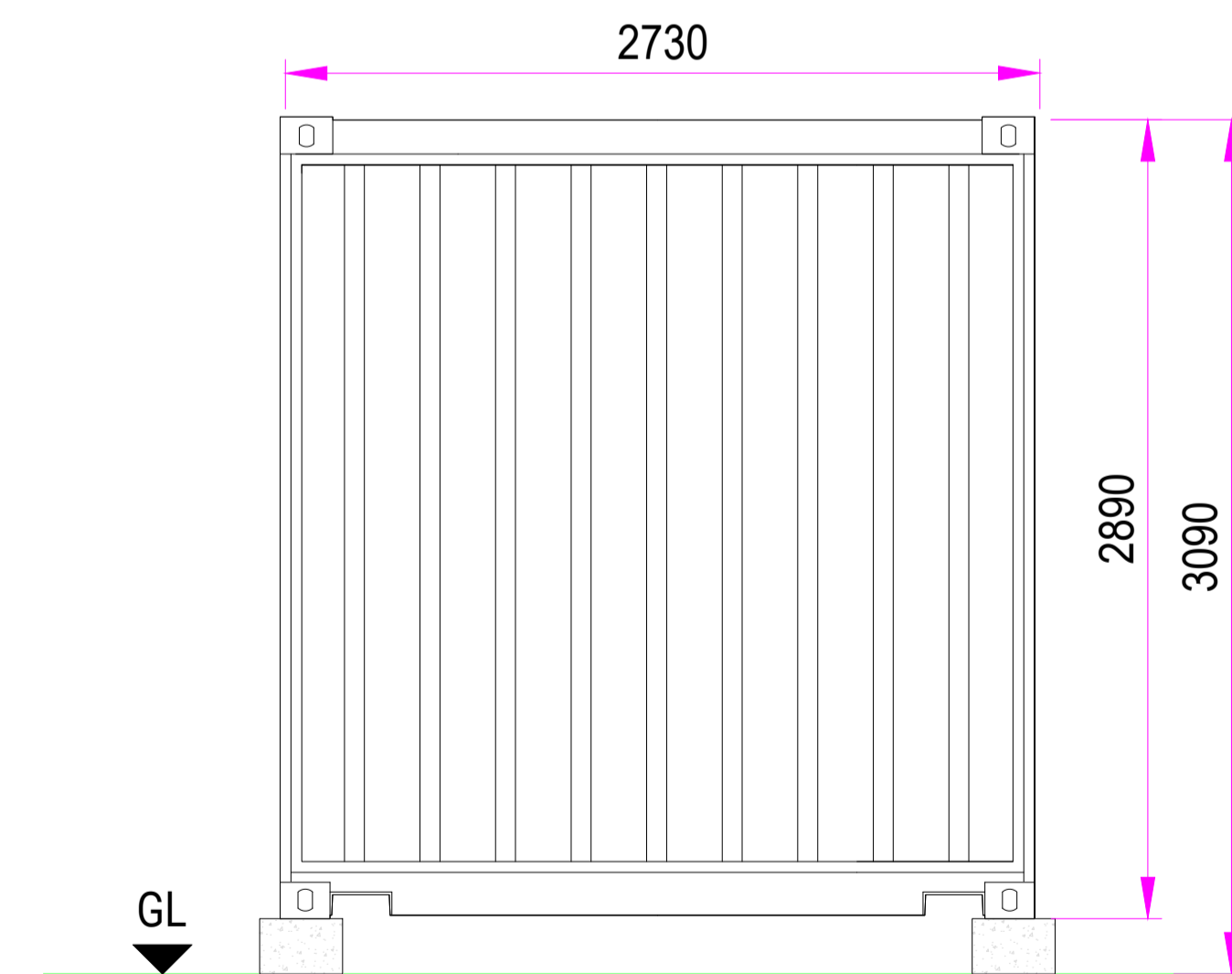
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REAR ELEVATION – scale 1:30 @A1



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SIDE ELEVATION B – scale 1:25 @A1



General Notes

No.	Revision/Issue	Date
-	First Issue	22.06.20

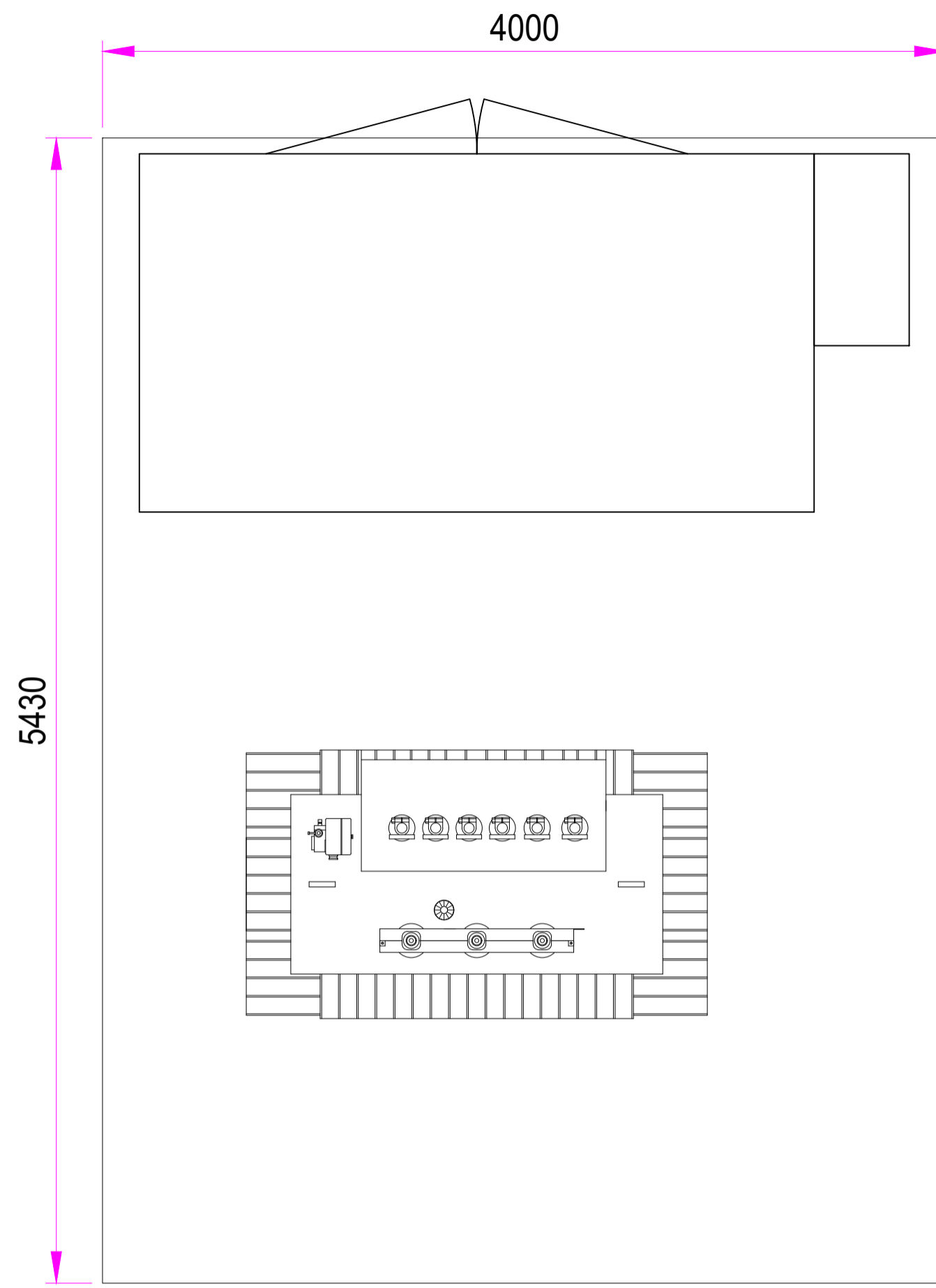


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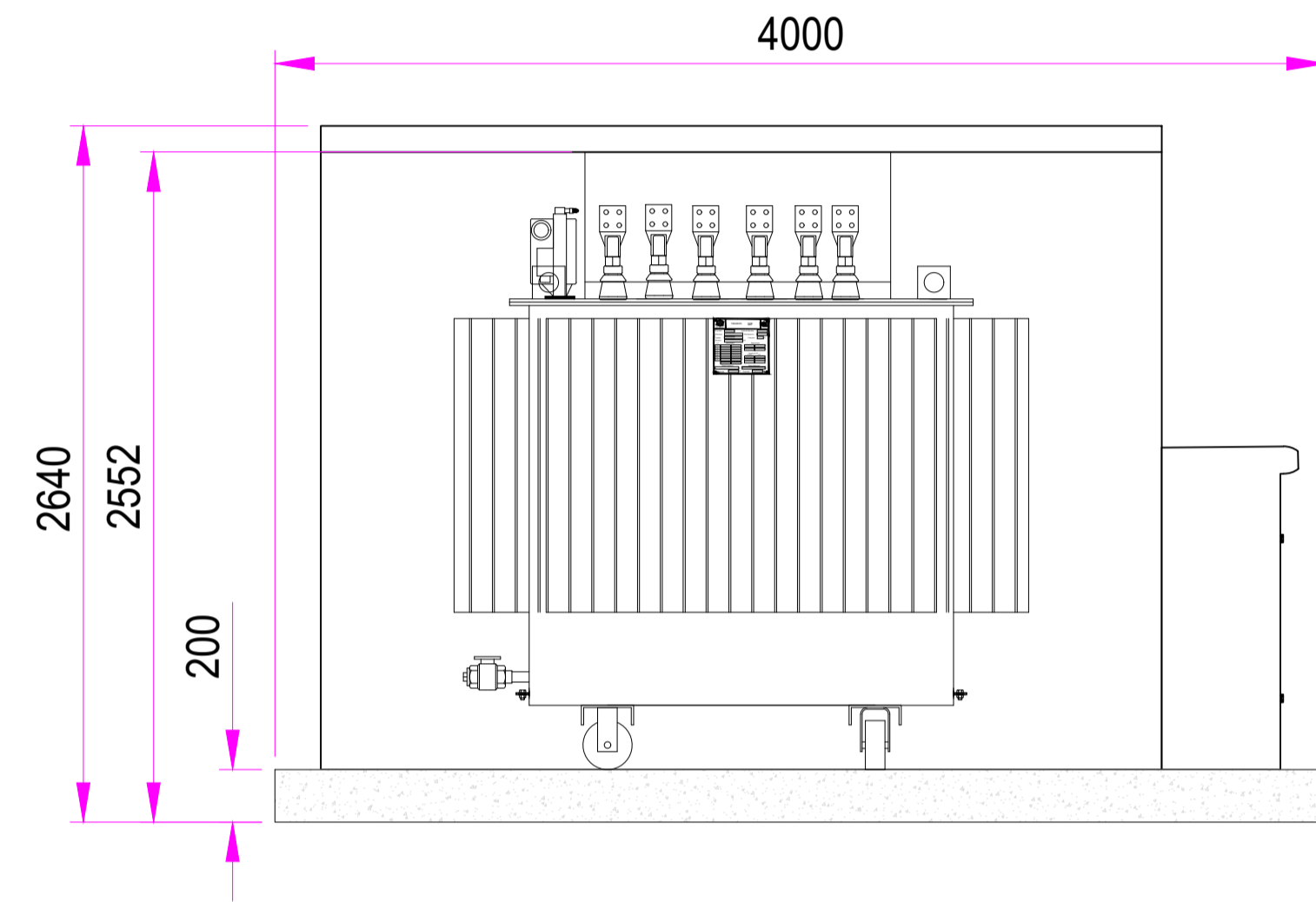
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 BATTERY**
 BUSTLEHOLME, WS5 4SJ

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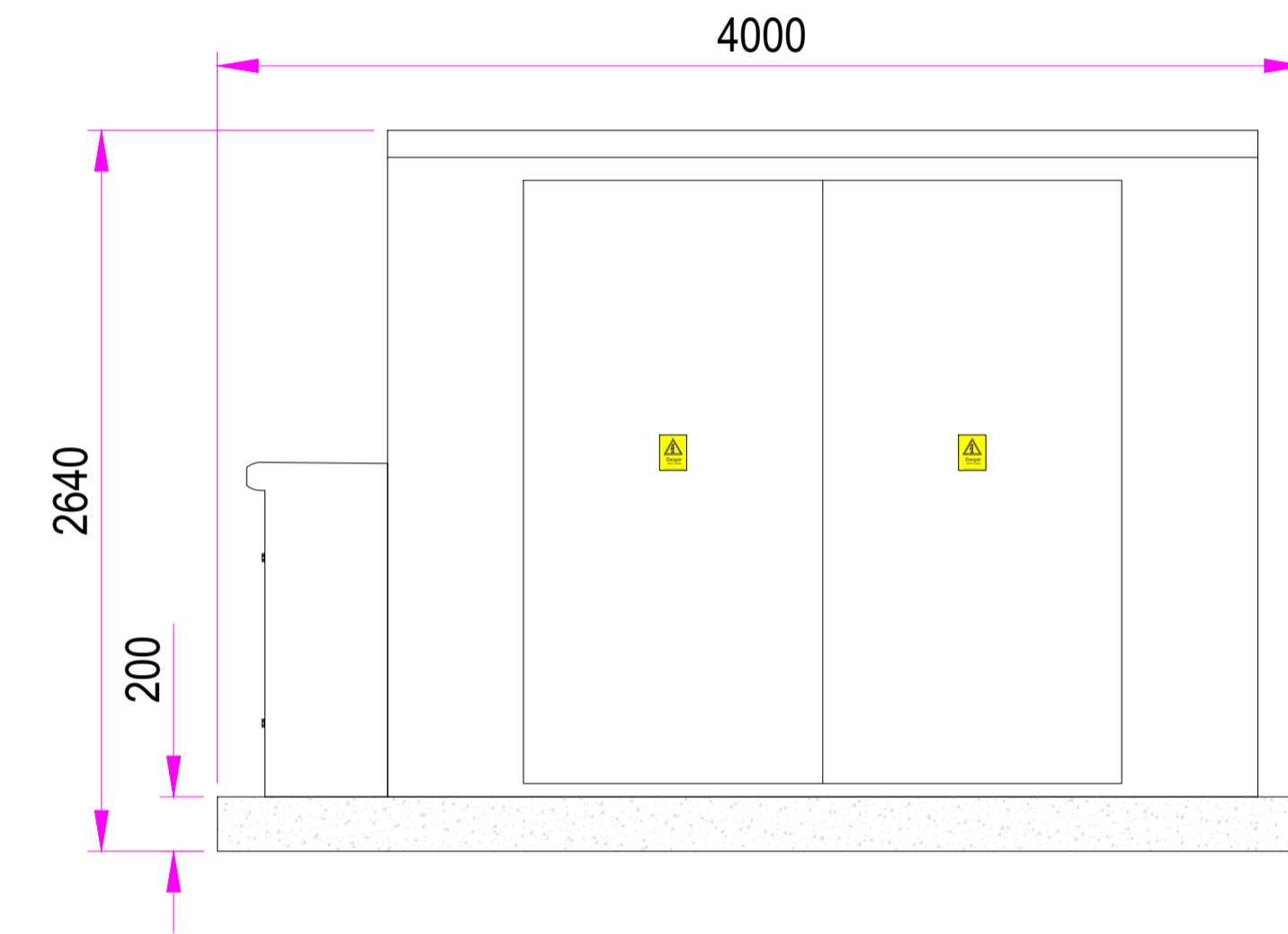
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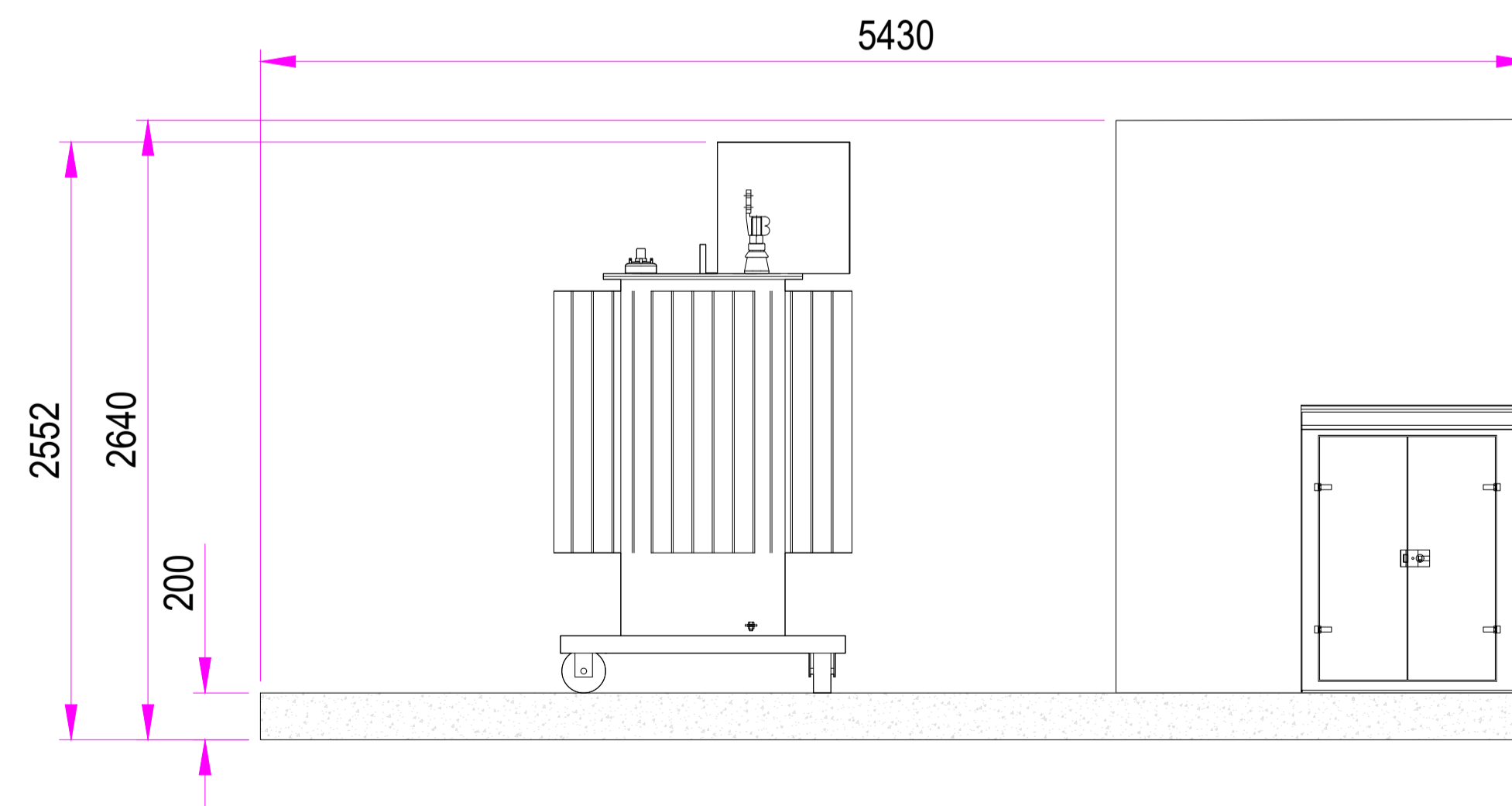
PLAN VIEW



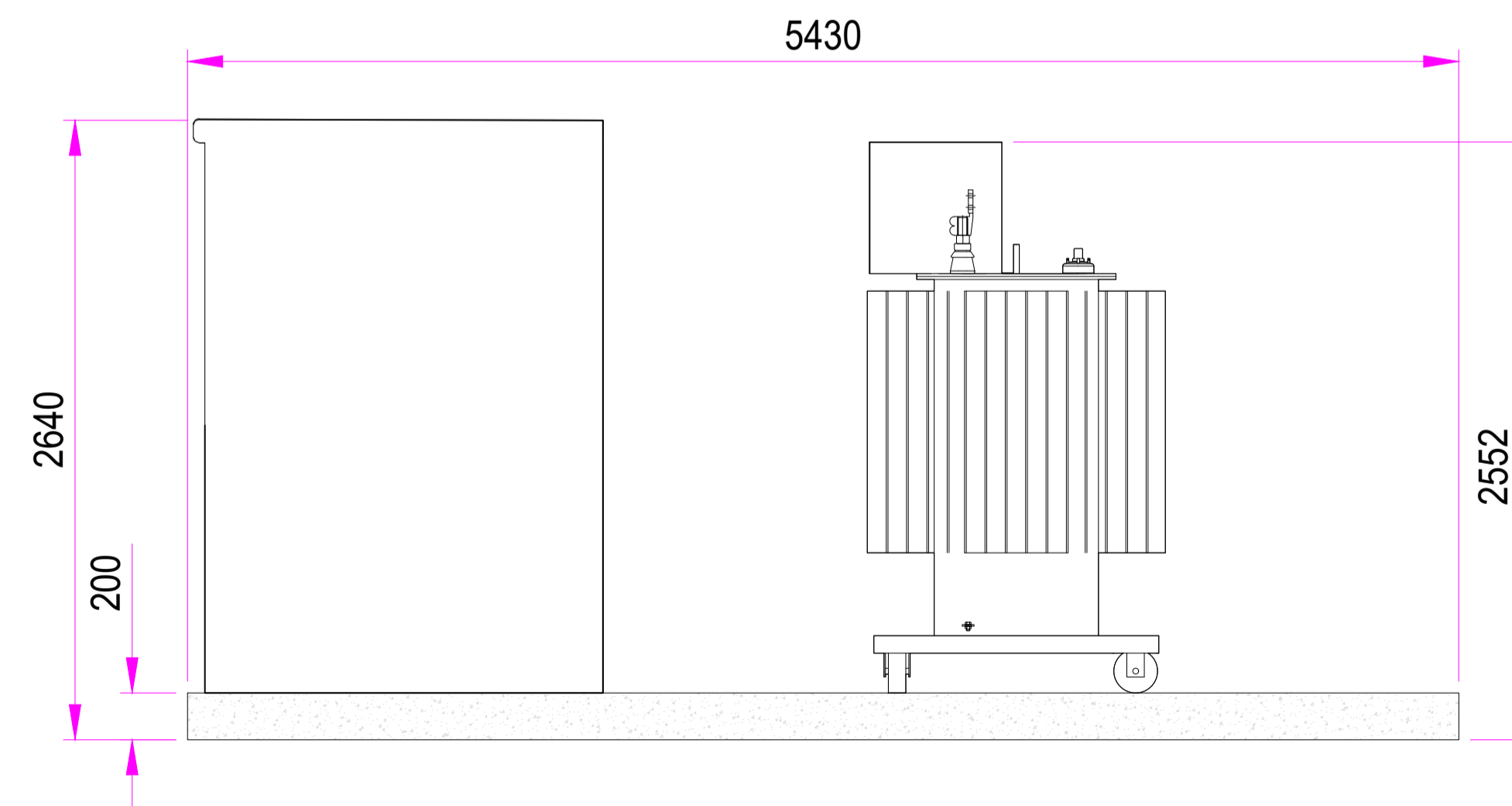
REAR ELEVATION



FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

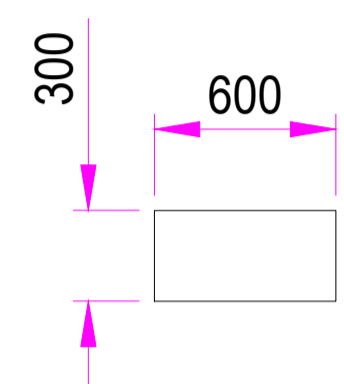
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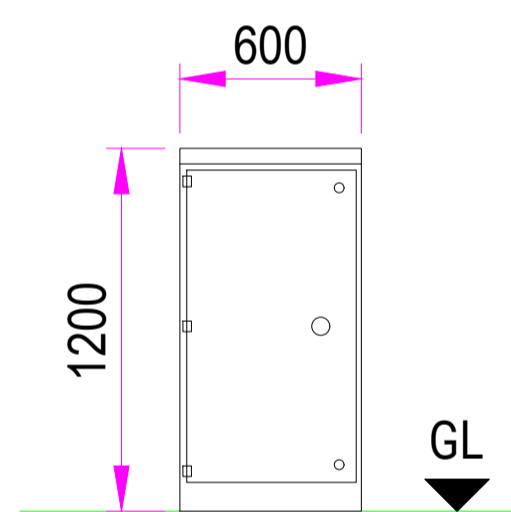
Project Name and Address
BUSTLEHOLME SUBSTATION
BATTERY
BUSTLEHOLME, WS5 4SJ

Drawing Title
AUXILIARY TRANSFORMER
ARRANGEMENT

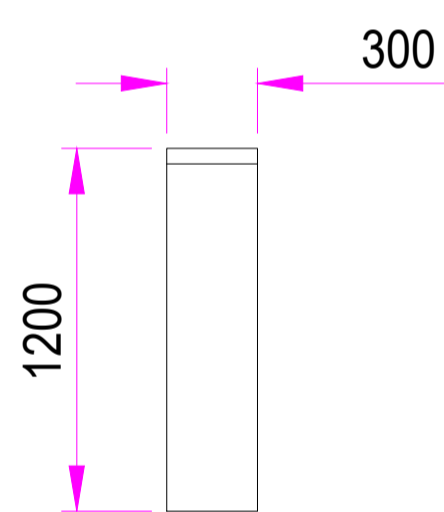
Project BUSTLEHOLME	Sheet TSC37-G008
Date 22.06.2020	
Scale 1:25 @A1	



PLAN VIEW



FRONT ELEVATION



SIDE ELEVATION



General Notes

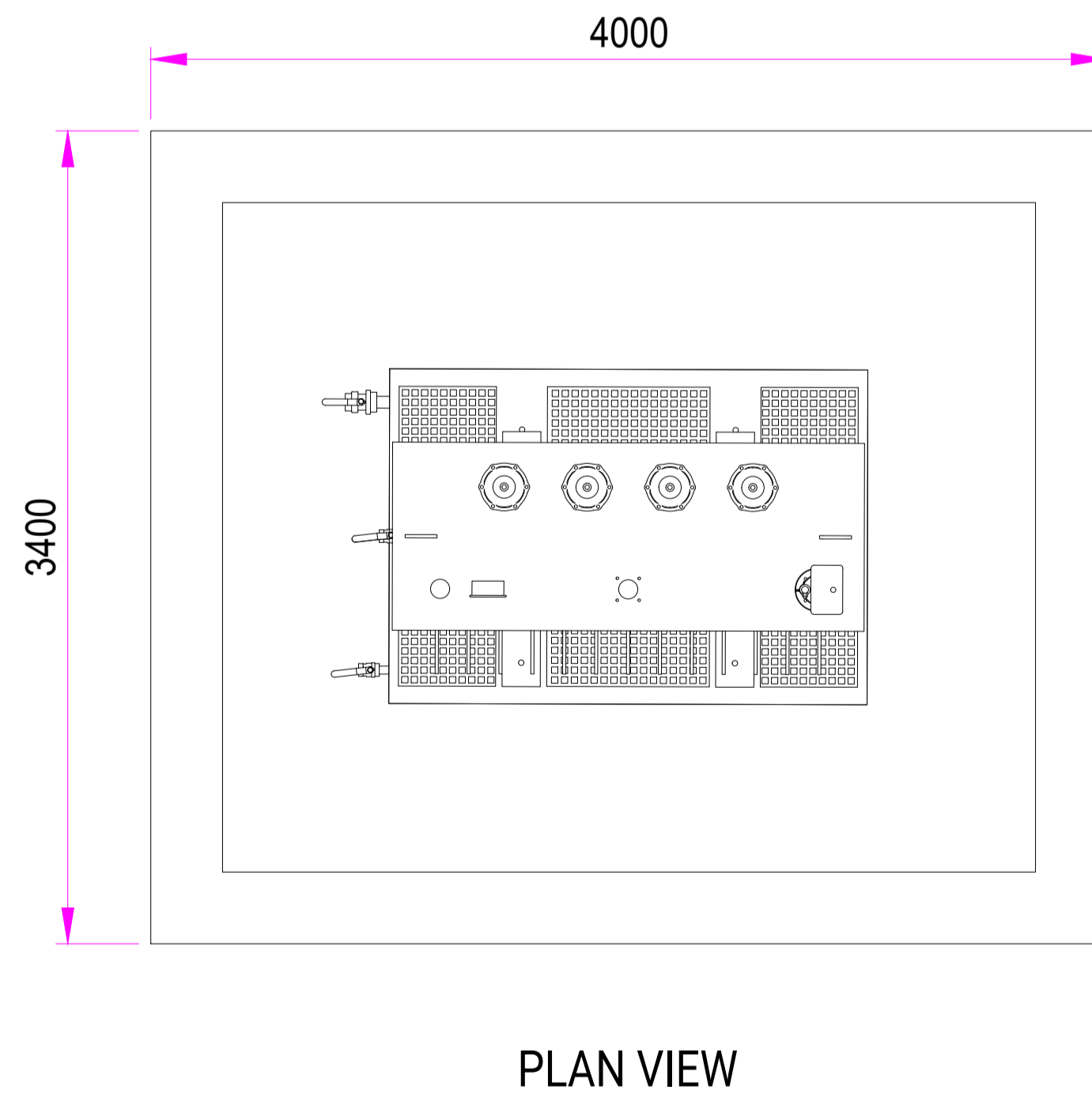
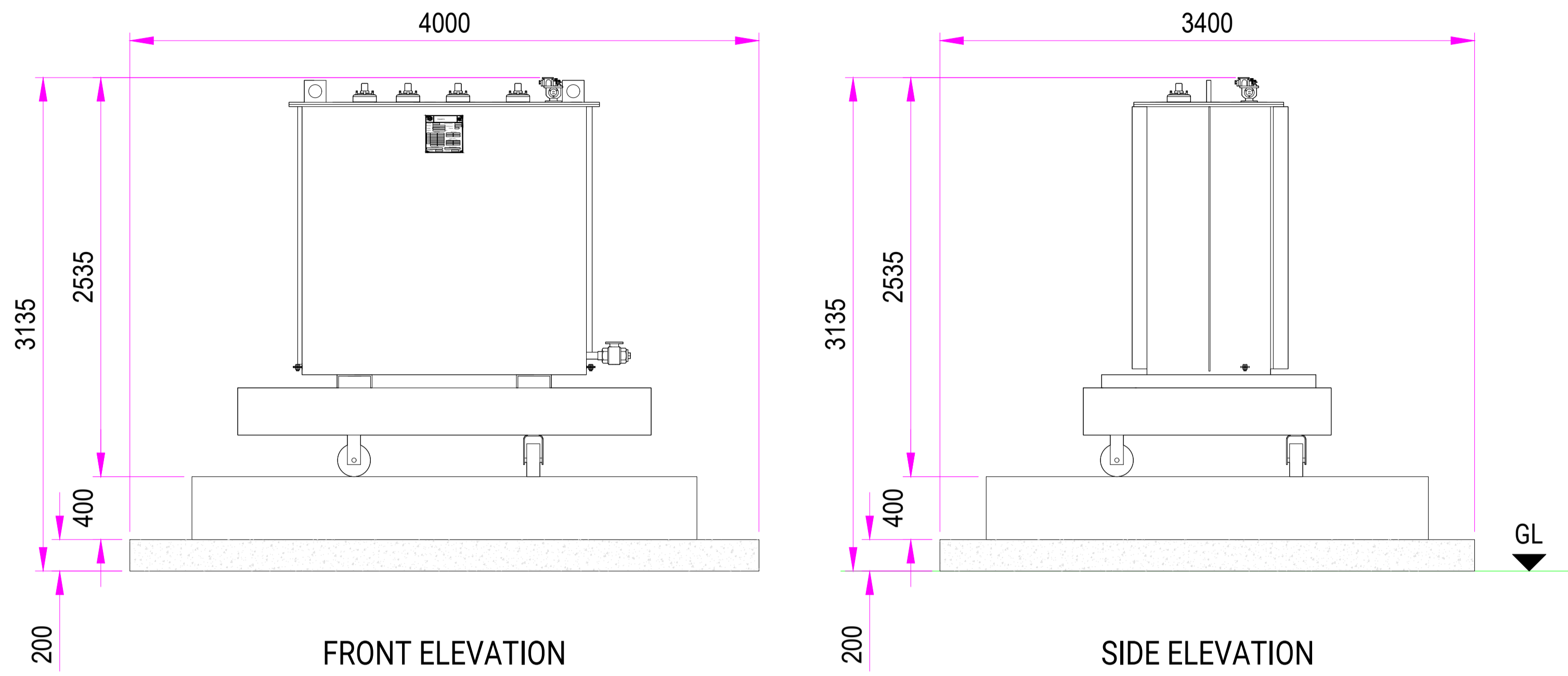
No.	Revision/Issue	Date
-	First Issue	22.06.20



Project Name and Address
 BUSTLEHOLME SUBSTATION
 BATTERY
 BUSTLEHOLME, WS5 4SJ

Drawing Title
 FEEDER PILLAR
 ARRANGEMENT

Project	BUSTLEHOLME	Sheet	TSC37-G009
Date	22.06.2020		
Scale	1:25 @A1		



General Notes

No.	Revision/Issue	Date
-	First Issue	22.06.20

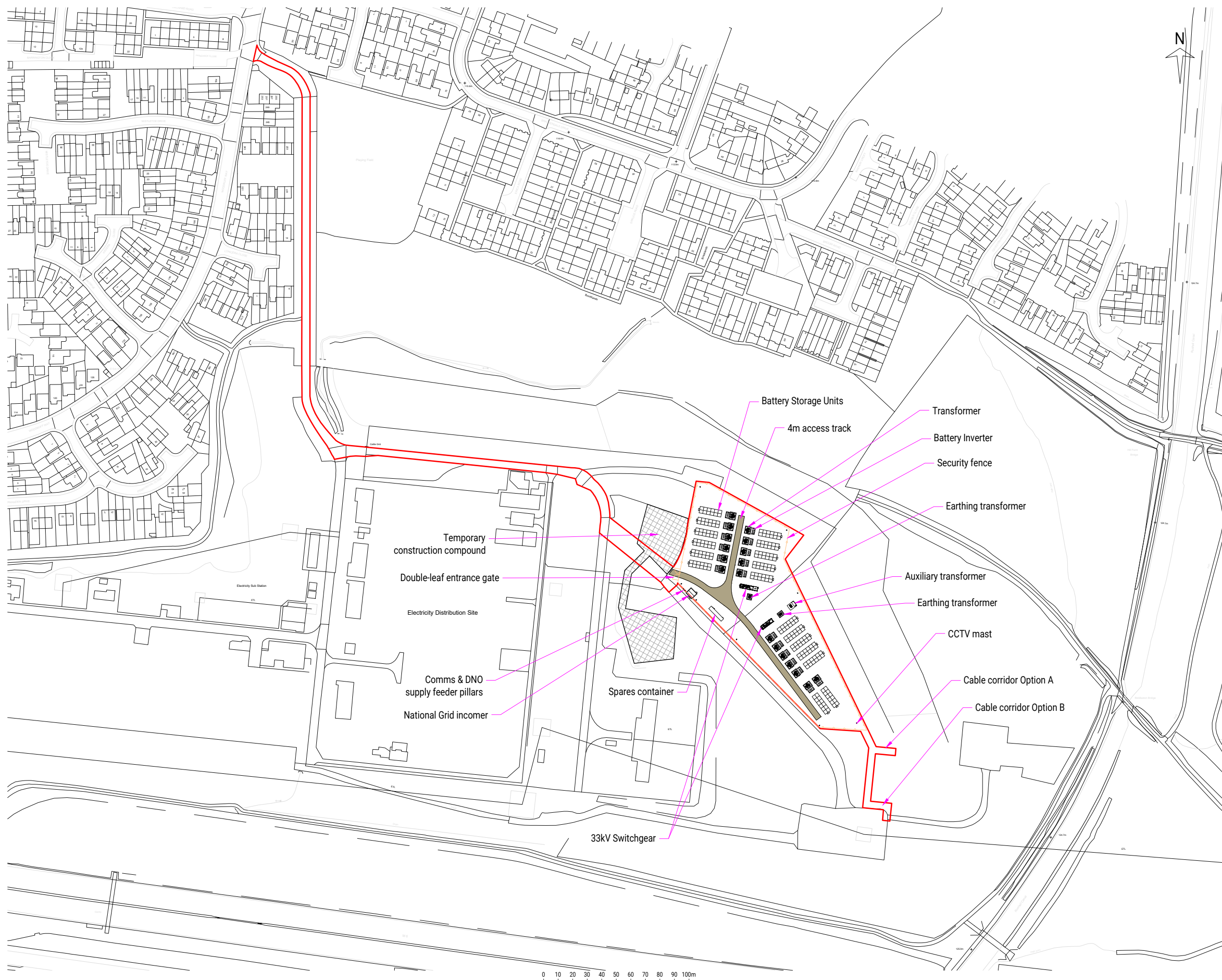


pivot power

Project Name and Address
 BUSTLEHOLME SUBSTATION
 BATTERY
 BUSTLEHOLME, WS5 4SJ

Drawing Title
 EARTHING TRANSFORMER
 ARRANGEMENT

Project BUSTLEHOLME	Sheet TSC37-G010
Date 22.06.2020	
Scale 1:25 @A1	



General Notes

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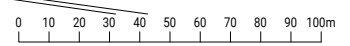
No.	Revision/Issue	Date
H	Red line extended to highways, cables	23.06.20
G	Cable corridors amended	22.06.20
F	Revised config	12.06.20
E	Revised config/red line	05.05.20
D	Revised config	17.04.20
C	Revised mapping, 15m tree buffer	06.04.20
B	Revised config	04.07.19
A	Revised mapping/location/config	02.05.19
-	First issue	20.12.18

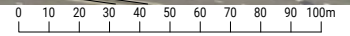


Project Name and Address
 BUSTLEHOLME SUBSTATION BATTERY
 BUSTLEHOLME, WS5 4SJ

Drawing Title
 SITE LAYOUT PLAN

Project	Sheet
BUSTLEHOLME	TSC37-P001-H
Date	23.06.2020
Scale	1:2500 @A3





General Notes

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No.	Revision/Issue	Date
A	Red line extended to highways, cables	23.06.20
-	First issue	22.06.20



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Project Name and Address
**BUSTLEHOLME SUBSTATION
 BATTERY**
 BUSTLEHOLME, WS5 4SJ

Drawing Title
SITE AERIAL PLAN

Project BUSTLEHOLME	Sheet
Date 23.06.2020	TSC37-P004-A
Scale 1:2500 @A3	