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F.A.O: Nikki White

16th January 2024

Our Ref: 23/7309

Dear Sirs/Madam

APPLICATION No: 2023/1070/FUL  
CONSTRUCTION AND OPERATION OF AN ENERGY STORAGE FACILITY, FENCING, LANDSCAPE PLANTING, SITE ACCESS, DRAINAGE, INFRASTRUCTURE, LIGHTING, CCTV AND UNDERGROUNDING CABLING  
LAND NORTH OF STYLES CLOSE, FROME

Planning Potential has been instructed by the Stop Frome BESS Action Group to write to Somerset Council in response to the above planning application that has been submitted at Land North of Styles Close, Frome.

The Stop Frome BESS Action Group object to the above application. The Action Group has been formed by local residents who have joined together to express their concerns about the proposed development and why this is the wrong location for the application proposal.

The Group requests that the application be refused by the Council. They consider that there is no overriding need for this proposal, it is contrary to the Development Plan and that there are no material considerations that dictate otherwise. It also raises landscape, noise, amenity and ecology concerns. Moreover, there are significant health and safety issues that arise with Battery Energy Storage Schemes (BESS). This is particularly pertinent given the proximity of residential properties to the application site.

#### Application Proposal and Site

The applicant, Trina Solar, advise that the proposed development will comprise 30MW (generation capacity) of lithium-iron-phosphate (LiFePO<sub>4</sub>) battery technology, a grid connection, a resolute accessway, and ancillary infrastructure. They are seeking planning permission for a 40-year period. The proposal would consist of, amongst other things, eight battery blocks, each comprising four battery units arranged in pairs, four MV transformers, inverters and a control building and SSE Substation.

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The proposed development is in close proximity to Styles Close, which is a cul-de-sac immediately to the south of the application site. The nearest garden is only 32 metres from the site and the nearest house is 50 metres. This is much closer than other BESS sites that have been approved and could set a dangerous precedent.

In addition, the only access point to the site is via Styles Close. The proposed development would be surrounded by a 2.4m timber perimeter fence and an acoustic fence that would surround the core site, which would be 4m in height on all sides. The containers and buildings are, at their highest point, 4.2m in height.

The proposal also includes vehicle parking, CCTV lighting, and security, as well as a wetland area and swale. The container, stables, and grass land area that lie between the houses and the existing substation are all to remain in situ. The container and stables are the property of the existing tenant.

The application site lies immediately north of Styles Close, which is a quiet cul-de-sac of semi-detached and detached residential properties. The site currently consists of an L shaped agricultural field that faces onto the rear of the properties of Styles Close. The field is used for grazing horses and is surrounded by informal hedges and fencing. It is predominantly grassland.

Immediately to the west of the site is the Frome 132/33Kv BSP Substation, which the field wraps around whilst the Rodden Lake Stream adjoins the northern boundary of the site. The site sits within Flood Zone 1; however, Rodden Lake Stream is classed as a major surface pathway. The land slopes from south to north. Beyond the stream (to the north) and along the eastern site boundary, there are agricultural fields in arable use.

In the wider context, there are residential areas to the north, west and south whilst the main railway line runs to the north. There are no statutory designated sites within the application site itself or within a 2km buffer.

## BESS

The applicant states that the benefit of the application proposal is that it will help balance energy supply with energy demand. This is because it would enable the storage of electricity at times of low demand, which can then be deployed at times of higher demand. The applicant states that the BESS can be charged during periods of excess solar and wind electricity generation and discharged when required. Therefore, 'clean' energy can be used by consumers during periods of higher peak demand. Therefore, the BESS will mitigate the intermittent nature of renewable energy generation sources.

However, this is misleading in two ways. First, it is not clear whether the energy used to charge the BESS during periods of low demand will necessarily be from renewable sources. Based on the current energy mix, it is likely that it will be a mix of fossil fuels and renewable energy sources.

Indeed, the appellant provides no details as to the likely proportion of energy that will be stored from renewable energy as compared with non-renewable energy sources. There is no commitment to fix the percentage of renewable energy that will be stored mainly because this would be difficult to achieve. Accordingly, it is likely that the proposed BESS will store electricity generated from conventional non-renewable sources as well as renewable energy sources, as the need to be discharged can be triggered without regard to the current energy mix in the National Grid.

This means that it is questionable as to whether the proposed BESS will optimise the usage of clean energy on the national grid because the current mix includes fossil fuels. In some ways, it will displace the use of fossil fuels from low demand time period to peak usage periods.

To be clear, the rationale for developing the BESS is that it would enable Trina Solar to make a profit on storing and discharging of energy. The BESS will store (or buy) energy when there is a low demand (normally at night) and then discharge, or sell, at higher demand times during the day. This will determine when the BESS will be in use and not the mix of energy (i.e. such as when renewable energy is at its highest).

The applicant also notes that the application proposal is required in order to meet the energy demand requirements of Frome. However, the BESS will be connected to the national transmission system and will be used to help balance the national grid and not local distribution network. BESS connected to substations are therefore part of a national, not local, system. This means that there is no criticality to location other than a connection and available land. It will not solely meet the needs of Frome.

### Need

It is clear that the applicant considers there is a need for the proposed development. In these terms, they make reference to the country transitioning to a low carbon economy and a decarbonised electricity network by 2035 whilst ensuring that older carbon intensive technologies are replaced by renewable energy sources such as wind turbines and solar farms. The applicant quotes the British Energy Security Strategy and Future Energy Scenarios Strategy, which states that the threat of climate change has instigated the move to decarbonise the UK's electricity system by 2035.

It is also recognised that the National Planning Policy Framework (NPPF) states at Paragraph 163 that when determining planning applications of this nature, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy. It states that even small-scale projects provide a valuable contribution to significantly cutting greenhouse gas emissions

That said, the applicant has not demonstrated that there is an overriding need for the proposed development to be located on the application site. They have set out, in detail, the national requirements for BESS and how they assist in energy security and balancing of the national grid. However, they have not made a compelling argument why the proposed development must be located on the application site. The wider national benefits could equally be secured or achieved on a range of sites. Sites, whose development, would not result in residential amenity harm or health and safety concerns.

One would suspect that the reason for proposing the development on the application site has been driven by commercial reasons in that the immediate connection to the substation will enable reduced development and operation costs rather than a wider consideration of planning matters.

### Planning Policy

The Development Plan is formed by the Mendip Local Plan (Parts 1 and 2) and the made Frome Neighbourhood Plan. The Local Plans were adopted in 2014 and 2021 respectively whilst the Neighbourhood Plan was made in 2016. Of these documents, the most relevant is the Local Plan Part 1.

It states in Core Policy 1 that all new development is expected to contribute positively towards delivering components of the Vision for the district and the associated strategic objectives and that any proposed development outside the development limits, will be strictly controlled and will only be permitted where it benefits economic activity or extends the range of facilities available to the local communities.

As it has been demonstrated, the proposed BESS will not be solely providing for local energy requirements but serving the wider national grid whilst the level of economic activity it will create in terms of new jobs or expenditure in the local economy will be negligible. The applicant states that there will be no on-site presence and that the site will be monitored remotely.

In these terms, the application is contrary to the Development Plan given that there are no prevailing reasons to justify its location outside the settlement boundary in the countryside.

However, as set out in national planning guidance and legislation, the Development Plan is to be read as a whole and therefore the fact that the proposal is contrary to one policy does not mean it should be refused if it accords with other policies. However, a review of the Local Plan and the Neighbourhood Plan would suggest that there are no policies in support of the proposed development.

Reference is made to Core Policy 5, which states that the views of a community expressed in a Parish Plan, Town or Village Design Statement (which has had the benefit of wide community involvement) will be a significant material consideration in pre-application discussions in the determination of planning applications. The Neighbourhood Plan makes no reference to development within this area or of development in this form. Whilst the organisation that prepared the Neighbourhood Plan, Frome Town Council, have objected strongly to this application.

There is also Policy DP4, which states that proposals for development that would, individually or cumulatively, significantly degrade the quality of the local landscape will not be supported. Any decision-making will take into account efforts made by applicants to avoid, minimise and/or mitigate negative impacts and the need for the proposal to take place in that location. Whilst the comments of the Council's Landscape Officer are still awaited, it is clear that the proposed development will have a significant adverse impact on the local landscape through the introduction of additional development thereby creating visual clutter whilst inserting a large acoustic fence in an area that is not subject to any structure or development and which provides for a 'lung' of green open space in this part of Frome.

Allied to the above points above, the Action Group also considers that the proposal is contrary to Policy DP7 in that that the proposal is not of a high-quality design which results in usable, durable, adaptable, sustainable and attractive places. It is not of a scale, mass, form and layout that is appropriate to the local context and, as such, it has an adverse impact on the amenity of users of neighbouring buildings and land uses and does not provide a satisfactory environment for current and future occupants.

Policy DP8 considers environmental protection. It states that all development proposals should minimise, and where possible reduce, all emissions and other forms of pollution. Development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on – inter alia - ambient noise levels; the quality of water resources; residential amenity; and public health and safety. However, the proposed development will result in:

- A noise impact.
- If there is a loss of control event such as thermal runaway, there is potential for water contamination (as will be shown later).
- The proposal will have an adverse effect on residential amenity in terms of visual impact; and
- Health and safety issues arise in the event of a fire which could have serious implications to local residents, Frome Town residents and possible loss of the adjacent BSP substation, which provides electrical supply to the town and outlying districts.

Where appropriate, development proposals will be supported where they make safe and satisfactory provision for access by all means of travel (particularly by means other than the private car); emergency vehicles and avoid causing traffic or environmental problems within the wider transport network or generating any requirement for transport improvements which would harm the character or locality (Policy DP9).

The proposed development is non-compliant with this policy when considered in light of the National Fire Chiefs Council (NFCC) guidance, which has been prepared in relation to BESS. Therefore, given this, it means that it is also contrary to this policy.

Our review of the Local Plan Part 2 and the Neighbourhood Plan would suggest that there are no policies that are of relevance to the proposal.

As such, when considering the Development Plan as a whole, there are clearly no policies in Local Plan Part 1 that support the development that can be relied upon by the applicant. The proposed development is contrary to the Development Plan and thus there must be a presumption against approving the development unless material consideration indicates otherwise.

We are aware that the applicant will rely on national planning and energy planning policy to suggest that this provides the supportive material considerations. The guidance in the NPPF and Overarching National Policy Statement for Energy (EN-1) (July 2011) and Draft Overarching National Policy Statement for Energy (EN-1) published in March 2023 note that applicants do not need to demonstrate the overall need for renewable or low carbon energy, and BESS are required to balance the overall energy grid system.

However, as stated above, the applicant has not made a compelling case as to why the proposed development must be located at the application site. The need and requirement for such development is recognised but given the constraints affecting the site and that it is contrary to Development Plan policy, there is no evidence to suggest it must be located here.

#### Residential Amenity

The application has been subject to a significant number of objections from local residents, Frome Town residents and from further afield, with very limited support for the proposed BESS from members of the public.

Planning Practice Guidance (PPG) notes - in terms of renewable and low carbon energy - that planning has an important role in the delivery of new infrastructure in locations where the local environmental impact is acceptable (Paragraph: 001 Reference ID: 5-001-20140306). However, whilst communities have a responsibility to help increase the use and supply of green energy, this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them (Paragraph: 003 Reference ID: 5-003-20140306).

In addition, local planning authorities will need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts. The views of local communities likely to be affected should be listened to (Paragraph: 005 Reference ID: 5-005-20150618).

It is clear that local residents have grave concerns regarding the proposed development and that these concerns should be listened to. The level of opposition is shown by the number and range of objections to the proposal and that these concern matters such as:

- Health and Safety.
- Landscape and Visual.
- Ecology.
- Noise; and
- Other Matters.

As stated in many of the comments left on the Council's website regarding this applications, the residents are not opposed to renewable energy development but are concerned about the risk posed by this development.

### Health and Safety

It is noted that the applicant has submitted information in support of the proposal, which sets out the approach to fire mitigation and suppression in the event that there is a loss of control and resultant thermal runaway at the site, most likely, a fire. These measures are noted and welcomed by the Action Group.

However, it is self-evident that even with these measures, there is no way that the applicant can eliminate the risk of an event happening entirely. The applicant notes that only one BESS fire has occurred in the UK (which was at Orsted Facility, Carnegie Road, Liverpool) and that the 'direction of travel' for decision making within this field is that Local Planning Authorities (and Appeal Inspectors) have considered that the health and safety risks of similar developments should not outweigh the benefits of the scheme in the planning balance.

However, it is important to note that the circumstances and key matters surrounding each application is individual to that case. This is particularly relevant for the application site given that a voltage spike recently set fire to a wood pylon on site, which resulted in three explosive events on the same night. The wood pylon was situated close to a nearby hedge, which runs along the eastern edge of the field. The concern is that if a similar event were to happen that fire could spread to the proposed BESS and then onwards to the electrical substation and properties in Styles Close.

In addition, the proposed BESS lies immediately to the south of the Rodden Lake Stream and that the application site slopes towards the stream.

Policy DP8 considers environmental protection. It states that all development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on – inter alia - the quality of water resources.

There is also NPPF Paragraphs 189 and 191, which state that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. New development should be appropriate for its location when taking into account the likely effects of pollution on health, living conditions and the natural environment.

The PPG also notes that water quality is a significant planning concern when a proposal would indirectly affect water bodies, for example, as a result of runoff into surface water sewers that drain directly, or via combined sewers, into sensitive waterbodies (Paragraph: 016 Reference ID: 34-016-20140306). If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) (Paragraph: 007 Reference ID: 33-007-20190722)

The concern is that if there is a thermal runaway event at the proposed development and that the local Fire Service is required to douse or cool the BESS with water, which is likely to be required over a long period of time then there is the potential for there to be an adverse impact on groundwater and that this will have consequences for the stream. This is because the water used to douse the fire will become contaminated from the chemical components in the BESS, which will then infiltrate into the groundwater (or flow over the surface) and likely end up within the stream.

Regarding this, it is noted that the proposed development does not include any provision for water attenuation tanks to store contaminated water in the event of a fire. The current drainage approach is via the proposed wetland and an outfall pipe, which means that contaminated water could flow directly into the stream. This is serious omission considering the potential for contamination in the event of a fire and the need for the Local Fire Service to douse the fire for a significant period.

In addition, there are concerns regarding the potential risks arising from air pollution in the event of thermal runaway. The approach adopted at Liverpool was to douse water on the battery storage containers next to the one that caught on fire to prevent conflagration. As stated above, this was for a significant period of time given that the fire had to 'burn itself out.' As such, and in addition to the water contamination concerns, this means that there is a significant potential for air pollution. It has been shown that if BESS catch alight, they will release highly toxic and flammable gases.

Given the proximity of the properties on Styles Close, and the effects of a loss of control event at the BESS, this is a significant consideration which gives rise to health and safety concerns for the local residents and will seriously impact on their amenity.

This potential for water contamination and toxic and flammable air pollution has not been sufficiently addressed in the applicant's submission. As such, the proposal is contrary to Policy DP8 in the Local Plan Part 1.

It is recognised that the applicant has provided technical information on fire mitigation and suppression. However, this is at a 'high-level' and fails to address concerns arising from potential water contamination and air pollution. It does not provide any detail if the fire suppression system does not work. The Action Group are aware that such matters have been addressed on other BESS developments via conditions. However, there is a need to consider these matters now and not rely on planning conditions.

The applicant needs to provide evidence on how they will address potential water pollution at the application stage in order to allow the relevant agencies to fully consider the environmental risks in the event that there is a 'loss of control' scenario.

In relation to health and safety concerns, the NFCC has published guidance on Grid Scale BESS for Fire and Rescue Services in November 2022. This guidance is noted in the revision to the PPG that occurred in August 2023.

It states that it is the NFCC's expectation is that a comprehensive risk management process must be undertaken by operators to identify hazards and risks specific to the facility and develop, implement, maintain and review risk controls. From this process, a robust Emergency Response Plan should be developed.

It continues by stating that information is required as early as possible from the applicant to allow an initial appraisal of the BESS to be made. This information is to include the battery chemistries to be used, the size/capacity of each BESS unit (typically in MWh), details of any fire-resisting design features and the identification of any surrounding communities, sites, and infrastructure that may be impacted as a result of an incident.

In these terms, the NFCC guidance states that proposals for water supplies on site should be developed following liaison with the local fire and rescue service taking into account the likely flow rates required to achieve tactical priorities. This should consider the ability of/anticipated time for the fire and rescue service to bring larger volumes of water to site. As a minimum, it is recommended that hydrant supplies for boundary cooling purposes should be located close to BESS containers (but considering safe access in the event of a fire) and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours. Fire and rescue services may wish to increase this requirement dependant on location and their ability to bring supplementary supplies to site in a timely fashion.

The guidance also provides a steer on how proposed BESS should be designed to ensure that risks can be mitigated in the event of a thermal runaway event. It notes the following should be included in the design of a new BESS:

- At least 2 separate access points to the site to account for opposite wind conditions/direction.
- Turning circles, passing places, etc; (size to be advised by FRS depending on fleet).
- A standard minimum spacing between units of 6 metres to allow for suitable access for firefighters to operate unimpeded between units ;and

- The provision of a perimeter road should be provided with passing places for suitable for fire vehicles.

Based on the information supplied by the applicant regarding the proposed site layout, they have not followed the NFCC guidance.

The appeal site does not have two separate access points, there is not a turning circle to allow multiple fire vehicles to access and egress the site and there is no perimeter road whilst the units are not 6 metres apart. Moreover, no consideration appears to have been given by the appellant to the distance between the site and the sub-station in relation to the risk arising from thermal runaway. The substation is immediately adjacent to the nearest container and therefore precaution would need to be taken to ensure that in the event of a loss of control that damage does not spread. There are also overhead power cables directly lying above the proposed BESS, therefore, should thermal runaway occur any fire that ensued would destroy these cables resulting in loss of power to the Frome area and beyond for some considerable time.

The NFCC guidance also states that consideration should be given to the management of water run-off. As set out above, it is clear that the application site is close to a stream, which presents a series of challenges that must be dealt with in terms of groundwater contamination and/or surface water flow.

It is considered that the applicant has not adequately addressed this issue nor followed an appropriate approach to address wider health and safety matters arising from the proposed development. These matters need to be addressed at the application stage and cannot be left to planning conditions.

Moreover, it is apparent that there is now much more appreciation of the risks that arise from new technological development such as BESS and there is a much clearer understanding of the health and safety measures that are required to ensure that acceptable development occurs. The application proposal does not reflect this, as shown with the non-compliance with the NFCC guidance.

### Ecology

It is noted that the Council's ecologist has objected to the proposal. They have raised concerns about the timing of the survey work (Ecological Impact Assessment), which was undertaken in January 2023. This is a sub-optimal time to undertake surveys given that most ecological surveys are undertaken during the period between March and September. This brings into question the validity of the surveys presented.

To address this concern, the applicant has sought to upgrade by one class each of the effects that would arise from the proposed development. It is considered that this is an arbitrary and unsatisfactory approach to addressing the impact of the development on the ecology of the site and its surroundings. This approach does not take into account of, nor is sensitive to, the specific site conditions, which might be subject to a greater impact if the survey was undertaken during the recommended survey months of March and September.

It is acknowledged that that the applicant's response to the Council Ecologist's comments states that a follow-up habitat condition assessment survey was undertaken in August 2023 during the optimal survey period. This confirmed the 'upgraded' habitat condition assessment and that no change to the assessment of the habitats was required. However, the Council's Ecologist has not responded to the additional habitat information and the Action Group await the ecologist comments whilst noting the concerns above. However, at the time of writing there remains an outstanding objection on ecology grounds to the proposal.



## Landscape and Visual

There is also the landscape and visual impact of the proposed development. Similarly, to ecology, the Council Landscape Officer comments are awaited. In the absence of their response, it is considered that there will be noticeable harm to the existing landscape character and the visual amenity of the site and surrounding area.

Indeed, the Planning Officer has expressed similar points in correspondence to the applicant in email correspondence from August 2023 in that they state they have concerns with the visual impact of the proposal. They felt that the proposal would result in an oppressive and overbearing outlook for the occupants of the dwellings to the south and that in relation to landscaping impact of a large, industrial development with fencing at this scale. As such, they suggested that the fence height be reduced with additional landscaping.

The applicant has responded with revised proposals to slightly increase the timber fence height, reduce the acoustic fence from 5m to 4m and introduce additional landscaping. However, with regard to the timber fencing, this is located in the residents' gardens, therefore, the applicant would be unable to make the suggested changes to this part of the scheme. The existing boundary line is formed by a 1.2m high chain link fence and concrete posts.

Notwithstanding these minor changes, it is the Action Group's view that the "in principle" concerns surrounding landscape and visual amenity still remain.

Trina Solar suggests that with the additional landscaping proposed, the changes in fence height and the fact the proposed development has a restricted envelope of visibility due its location next to the substation mean that visual effects of the proposed development diminish with distance from the site.

However, the adverse effect of the proposal for residents of Styles Close will not be diminished. The 2.4m high and the 4.0m high fences will be clearly visible from their homes, particularly given that it will also require the removal of the existing hedge. The proposed BESS will be incongruous in the wider countryside, a dominant feature in views from Styles Close (particularly given the proposed access arrangements through the site) and will add to the visual clutter in this part of Frome.

Even with the proposed additional landscaping, the requirement for significant fencing will mean that the proposal will have the appearance of a commercial/industrial building. This demonstrates the unsuitability of the application site, as the acoustic fence is only required because there are sensitive receptors in close proximity. The choice of a site close to such sensitive residential receptors results in landscape and visual harm that could be avoided if the proposed development were located elsewhere.

The applicant recognises – in their letter of 29<sup>th</sup> September 2023 – that residents of Styles Close would have open, close-range views of the proposed development. However, they suggest that these views are in the context of the existing substation, electricity pylon and overhead power lines and that, due to the sloping landform, it is not considered that the proposed development would lead to "an oppressive and overbearing outlook."

The Action Group disagrees. The proposed development will add a new form of electrical infrastructure into the landscape and, when sat next to the existing substation thereby adding to cumulative harm and a loss of scenic quality for nearby residents. The proposed development will result in wholesale, permanent change to the site removing this open field and the relief it provides to local residents in terms of landscape character and visual amenity.

## Noise

It is recognised that the Council's Environmental Protection Team, in their response in October 2023, stated that they removed their initial objection following revisions to the proposal made by the applicant

They note that the amended noise assessment suggests that expecting increase in noise is acceptable given the prevailing background noise levels. However, to protect the amenity of nearby residential properties, a condition is proposed to ensure that the rating level of any sound shall not exceed the prevailing background noise levels by 5 dB at the nearest noise sensitive property at all times.

Notwithstanding the Council's approach, the Stop Frome BESS Action Group continue to raise concerns about the adverse noise impact arising from the proposed development. It is their view that the proposed increase in noise by 5db is still a significant amount and will negatively impact on local residents regardless of the prevailing background noise levels. This is particularly the case given that the proposed acoustic fence will be reduced from 5 metres to 4 metres on visual impact grounds. The conflict between these two elements demonstrates that the unsuitability of the site to accommodate a development of this nature.

In addition to the increase in noise levels, the Stop Frome BESS Action Group have concerns about the frequency and tonality of the noise that will be emitted from the proposed BESS in that it will be a constant low or high tone twenty-four hours a day. This will seriously affect residents, especially, those trying to sleep during the day as many are first responders/shift workers. Moreover, it also seems that the modelling exercise appears to have picked random addresses which do not relate to the closest properties and therefore we question the appropriateness of its results. Also, the Action Group queries the use of modelling to determine the 'actual' noise levels that the equipment would make in order to calculate the +5dB over the baseline figure. These figures do not take into account the considerable slope the equipment would be sited on meaning that noise mitigation acoustic fences would not be entirely effective since the residential properties are above the height of the fences.

#### Other Matters

Residents of Styles Close have also raised concerns in relation to the proposed fencing in that it will make it difficult for residents to maintain their own fences, which are located in their gardens. Indeed, there is the likelihood that there will be three layers of fencing in close proximity to each other, which will be claustrophobic and will have a negative visual impact. Moreover, it will make maintenance and the removal of weeds, brambles and bracken extremely difficult.

It is also noted that there has been a lack of engagement by Trina Solar with residents from Styles Close. This is a key part in the planning application process, and it is understood that there has been limited consultation with residents and the applicant has not sought to discuss, address or sought to mitigate the concerns of local residents. Given the nature of the proposal, and that fact that it is contentious, it would have been thought that this would have been one of the first actions undertaken by Trina Solar in pursuant of this application submission.

This is contrary to the guidance set out in the PPG, which states whilst communities have a responsibility to help increase the use and supply of green energy, this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them (Paragraph: 003 Reference ID: 5-003-20140306).

#### Summary

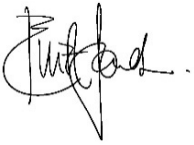
It is the Stop Frome BESS Action Group's position that the proposal constitutes inappropriate development in the countryside and is therefore contrary to the Development Plan. In addition, a review of material considerations indicates that there are no reasons to justify a departure from the Local Plan

The Action Group considers that the application proposal cannot be viewed as renewable energy or low carbon, it will give rise to an adverse cumulative landscape and visual impact, and the health and safety impacts have not been fully considered in the event of an accident together with the implications that this would have on local residents.

The proposed development does not comply with the latest guidance produced by NFCC regarding design and safety measures. For these reasons, the Action Group considers that the application should be refused.

As such, when considering the overall planning balance, the only conclusion that can be reached is that the application should be refused. Therefore, in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should be refused as the proposal is contrary to the Development Plan and that there are no material considerations that outweigh the clear policy conflict.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Elliot Jones', with a stylized flourish at the end.

Elliot Jones

Director

**Planning Potential**

Bristol

Enc.