Horsham District Council

Mr Richard Moore
Enso Energy
Unit 1 & 2 Cirencester Office Park
Tetbury Road
Cirencester
GL76JJ

Application Number: DC/24/0054

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Bolney Green Limited

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby REFUSE to permit the works specified hereunder, that is to say:

Installation of Battery Energy Storage System with associated infrastructure

Land West of Kent Street, Kent Street, Cowfold, West Sussex

as shown on Plan and Application Number DC/24/0054 submitted to the Council on 26/01/2024. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The proposed development, by reason of its scale, visual dominance and absence of screening from Kent Street and PROW 1787/2, would result in significant localised harm to the landscape character and visual amenity of the area, contrary to Policies 2, 25, 26, 32, 33 and 36 of the Horsham District Planning Framework (2015) and Policy 7 of the emerging Horsham District Local Plan, and paragraph 163(b) of the NPPF (2023).

2 Insufficient information has been submitted to establish the protection of Great Crested Newts, and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015) and paragraph 186 of the NPPF (2023).

3 The proposed development has not demonstrated that there is a sufficient water supply to manage a fire event or that contaminants associated with such an event will be suitably mitigated to avoid an environmental hazard occurring, nor that any fire event would not spread to local vegetation given its proximity, nor that the thermal runway and toxic plume associated with any fire event would not result in a hazard to approaching emergency vehicles and local properties. As a result, the proposal would conflict with the provisions of Policies 2, 24 and 31 of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement		P1-02-DAS	10.01.2024

Plans	INTERNAL ACCESS ROAD DETAIL	BY-02-P04	10.01.2024
Plans	PROPOSED ELEVATIONS, FLOOR, AND ROOF PLAN (BESS SWITCHROOM)	BY-02-P05	10.01.2024
Plans	PROPOSED ELEVATIONS, FLOOR, AND ROOF PLAN (BESS CONTROL ROOM)	BY-02-P06	10.01.2024
Plans	PROPOSED CCTV ELEVATIONS	BY-02-P07	10.01.2024
Plans	PROPOSED ELEVATIONS, FLOOR, AND ROOF (BESS BATTERY CONTAINER 40FT)	BY-02-P08	10.01.2024
Plans	PROPOSED ELEVATIONS (ACOUSTIC FENCE AND GATE)	BY-02-P09	10.01.2024
Plans	PROPOSED PLAN, SIDE, AND ISO VIEW (WATER TANK)	BY-02-P11	10.01.2024
Plans	TOPOGRAPHICAL SURVEY 1 OF 3	60967BWLS-01	10.01.2024
Plans	TOPOGRAPHICAL SURVEY 2 OF 3	60967BWLS-02	10.01.2024
Plans	TOPOGRAPHICAL SURVEY 3 OF 3	60967BWLS-03	10.01.2024
Location plan		BY-02-P01 REV 02	10.01.2024
Site plan	As proposed	BY-02-P02 REV 05	10.01.2024
Plans	PROPOSED ELEVATIONS AND ROOF (BESS INVERTER/TRANSFORMER)	BY-02-P03	10.01.2024
Supporting Statement	AGRICULTURAL LAND CLASSIFICATION REPORT	P1-02-ALC	10.01.2024
Supporting Statement	BIODIVERSITY NET GAIN ASSESSMENT	P1-02-BNG	10.01.2024
Supporting Statement	CONSTRUCTION TRAFFIC MANAGEMENT PLAN	P1-02-CTMP	10.01.2024
Supporting Statement	LANDSCAPE AND VISUAL IMPACT ASSESSMENT (PART 1 OF 2)	P1-02-LVIA	10.01.2024
Supporting Statement	LANDSCAPE AND VISUAL IMPACT ASSESSMENT (PART 2 OF 2)	P1-02-LVIA	10.01.2024
Supporting Statement	NOISE IMPACT ASSESSMENT	P1-02-NIA	10.01.2024
Supporting Statement	PREDICTED PHOTOMONTAGES	NONE	10.01.2024
Supporting Statement	PLANNING STATEMENT	P1-02-PS	10.01.2024
Supporting Statement	ARBORICULTURAL IMPACT ASSESSMENT	P1-02-AIA	10.01.2024
Supporting Statement	HERITAGE STATEMENT	P1-02-HS	10.01.2024
Supporting Statement	PRELIMINARY ECOLOGICIAL APPRAISAL	P1-02-PEA	10.01.2024

Note To Applicant:
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.



Emma Parkes
Head of Development and Building Control

Date: 19/07/2024

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.