



Appeal Decision

Inquiry held on 20 May 2025

Site visit made on 21 May 2025

by J Woolcock BNatRes (Hons) MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2025

Appeal Ref: APP/N4720/W/24/3355821

Field 4381, Warren Lane, Bramham, Wetherby LS24 9NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Harmony BH Limited against the decision of Leeds City Council (LCC).
 - The application Ref is 23/04572/FU.
 - The development proposed is the installation of a battery energy storage system (BESS), including associated infrastructure and access.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a battery energy storage system (BESS), including associated infrastructure and access at Field 4381, Bramham, LS24 9NU in accordance with the terms of the application, Ref 23/04572/FU, and the plans submitted with it, as amended, subject to the conditions in the attached Schedule of Conditions.

Application for costs

2. At the Inquiry an application for costs was made by Harmony BH Limited against LCC. This application is the subject of a separate Decision.

Preliminary matters

3. LCC refused the application on 21 June 2024 for four reasons; (1) inappropriate development in the Green Belt, (2) landscape character and visual amenity, (3) best and most versatile (BMV) agricultural land, and (4) fire safety. On 22 January 2025 LCC advised the Planning Inspectorate that it no longer contested the reasons for refusal, which were to be treated as withdrawn. A position statement was submitted by LCC on 27 January 2025 explaining that its position on the appeal had changed because of the revised and additional information submitted with the appeal by the appellant, along with the December 2024 material changes to the National Planning Policy Framework (NPPF), and that the reasons for refusal should be withdrawn, subject to the agreement of a schedule of planning conditions.¹
4. A Case Management Conference was held by Inspector Clegg on 10 February 2025 to consider administrative and procedural matters.² I subsequently issued three Pre-Inquiry Notes about the proceedings and to raise queries

¹ CD9.5.

² CD10.1.

about suggested planning conditions on a without-prejudice basis.³ In PIN1 I queried whether the proposal is 'associated infrastructure' with 'renewable and low carbon energy' for the purposes of applying NPPF paragraph 161. I am satisfied that the proposed BESS is a type of associated infrastructure that would contribute to a net zero future and so NPPF paragraphs 161 and 168 apply.⁴

5. The revised and additional information submitted with the appeal by the appellant comprised:
 - Grid Connection Technical Note (CD9.3.1).
 - Landscape and Visual Matters Topic Paper – with Enhanced Mitigation Strategy (CD9.3.2).
 - Agricultural Land Topic Paper – with Outline Soil Management Plan (CD9.3.3).
 - Battery Safety Management Plan (CD9.3.4).
 - Bramham Constraints Plan – 3km search (CD9.3.5).
6. The new material largely concerns landscaping details and supplementary information, which might properly be a matter for detailed discussion at the Inquiry stage so as to inform specific provisions to be included in suggested planning conditions. The material submitted with the appeal would not amend the proposed development to the extent that it would be a substantially different scheme to the proposal that was before LCC when it determined the application. Representations were made at the Inquiry about the adequacy of the consultation exercise, which ran over the Christmas and New Year period.⁵ The timing might not have been ideal. Nevertheless, written submissions were made about the revised and additional information by third parties. In addition, those attending the Inquiry were able to comment about accepting this information at the appeal stage. I consider that it would be unlikely that anyone would be prejudiced by taking into account the revised and further information. I am satisfied that dealing with the appeal on this basis would accord with the principles set out in the *Wheatcroft* and *Holborn Court* judgments.
7. The application is for a full planning permission and not an outline permission. However, details to be determined comprise only the Site boundary (CD1.19), access/visibility splays (CD2.36), off-site passing places (CD2.38), along with a Proposed Parameters Plan (CD2.17). The latter specifies the proposed new access and identifies a part of the Site where building/equipment height would be limited to a maximum of 3.6m. It also specifies an area within the Site for "BESS Compound – subject to minor reorientation and repositioning depending on final provider/operator. 3,5m max. Equipment height". All other aspects of the scheme are shown as illustrative, including the Illustrative Proposed Site Plan (CD2.16) and the Illustrative Site Layout & Elevations (CD1.20). This means that details such as the number, design, technology and spacing of batteries are not matters for determination as part of this appeal.

³ PIN1, PIN2 and PIN3 dated 7 March, 28 April and 8 May 2025 respectively.

⁴ Appellant's Proof of Evidence paragraphs 3.2 - 3.4.

⁵ This was conducted between 19 December 2024 and 16 January 2025.

8. The Design and Access Statement provides that the proposed development relates to a BESS of up to 35 MW that would operate on the Site for up to 40 years. The Illustrative Proposed Site Plan shows the following main components:⁶
- 12 no. high efficiency BESS units housed within individual containers.
 - 12 no. transformer units.
 - 1 no. switch-room.
 - 1 no. auxiliary transformer.
 - A laydown area comprising a car park, an office container and 2 storage containers.
 - A 2.4m high palisade fence.
 - Security lights.
 - Creation of a new internal access road and external compound access track.
 - A private underground cable connection to Bramham Substation.
9. I decided at the Inquiry that cross-examination would not be necessary for me to obtain all the information necessary to determine the appeal and so the event proceeded as focussed round table discussions. These dealt with the following matters:
- Further information submitted by the appellant at the appeal stage
 - Green Belt
 - Character and appearance
 - Agricultural land
 - Fire risk and public safety
 - Other issues raised by third parties
 - Planning balance and planning policy
 - Suggested planning conditions
10. The development plan for the locality includes the Leeds Core Strategy, as amended by the Core Strategy Selective Review 2019 (LCS), saved policies of the Leeds Unitary Development Plan Review 2006 (UDP), the Leeds Site Allocations Plan 2019 as amended 2024, the Leeds Natural Resources and Waste Development Plan Document 2013 as amended 2015 (NRWDPD) and the Bramham cum Oglethorpe Neighbourhood Development Plan 2018 – 2033 (BNP). The site lies within the Leeds Green Belt as defined in the development plan. I have taken into account the NPPF and the Planning Practice guidance (PPG).
11. Local residents and Councillors raised objections to the appeal scheme in written representations, at both the application and appeal stages, and spoke against the proposal at the Inquiry. The 2.84 ha appeal site is part of a large area owned by the University of Leeds. The University submitted a written representation in support of the proposal.⁷ The opening submission on behalf of LCC to the Inquiry stated that the Council is content that the development conforms with the development plan and invited that the appeal be allowed.⁸

⁶ CD2.1.

⁷ CD9.3.6.

⁸ ID2.

12. The appellant and LCC submitted a Statement of Common Ground dated 4 April 2025 (SoCG).⁹ The parties were given time to finalise suggested planning conditions.¹⁰ The Inquiry was closed in writing on 2 June 2025. LCC issued a screening opinion that the proposed development was not EIA development for the purposes of the EIA Regulations.¹¹ Having considered all the evidence and seen the site and surrounds, I concur that the proposal is not EIA development.

Main issues

13. The main issues for the appellant and LCC are the planning conditions that would be necessary if the appeal succeeded, and planning permission were granted. Objectors focussed on the matters set out in paragraph 9 of this decision.

Reasons

Green Belt

14. The appeal site is open agricultural land, but it adjoins Bramham electricity substation. It lies about 1.7km to the south-east of the core of Bramham Village, which is identified as a Smaller Settlement in the LCS. Residential dwellings at 1-9 Headley Hall Cottages, Headley Lodge and Headley Hall Farm are located to the south-east of the appeal site on the opposite side of Warren Lane. Wise Warren Cottages are located further to the north.
15. The appeal site is not near to a large built-up area. It does not contribute strongly to Green Belt purpose a), which is to check the unrestricted sprawl of large built-up areas. Green Belt purpose b) to prevent neighbouring towns merging into one another, and purpose d) concerning the preservation of the setting and special character of historic towns, are not relevant in the circumstances that apply in this case. The appeal site does not strongly contribute to any of Green Belt purposes a), b) or d), and none of the policies relating to the areas or assets in NPPF footnote 7 provide a strong reason for refusing or restricting development. I find that the appeal site is grey belt land for the purposes of applying NPPF paragraph 155.
16. The Green Belt comprises an extensive area around urban Leeds.¹² The proposed development would have a moderate adverse impact on Green Belt purpose c) regarding assisting in safeguarding the countryside from encroachment. However, no harm would arise to purpose e) regarding regeneration. The development of the part of the Green Belt land that comprises the appeal site would not affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I find that the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
17. As set out in paragraph 44 of this decision the proposed development would assist in meeting the need for electricity storage. There is a demonstrable unmet need for the type of development proposed.

⁹ CD9.2.

¹⁰ ID5, ID6 and ID7.

¹¹ The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations).

¹² ID4.

18. The specific locational requirement for the proposed BESS, proximity to Bramham Substation, has implications for the accessibility of the site in this rural area. Access would be via a rural lane. But with the exception of construction and decommissioning periods the facility would not generate much traffic. I am satisfied that safe and suitable access could be secured by the imposition of appropriate planning conditions. Overall, I consider that the proposed BESS would be in a sustainable location having regard to paragraphs 110 and 115 of the NPPF.
19. The Golden Rules as set out in NPPF paragraphs 156 - 157 do not apply in this case. I concur with the appellant and LCC that the appeal site is grey belt land. The proposal is not, therefore, inappropriate development in the Green Belt. The appeal scheme would result in no harm to the Green Belt. There is no conflict with UDP Policy N33 because it refers to the Green Belt 'very special circumstances' test, which does not apply here because the proposal is not inappropriate development.

Character and appearance

20. The most useful landscape reference here is Leeds City Council's Landscape Character Assessment, dated 1994. In this assessment the appeal site lies within Landscape Character Type Open Arable Farmland, Subtype ELB2 East Bramham. This is characterised by open gently rolling farmland, large fields, sparse tree cover, low gappy hedgerows, isolated mixed plantations and large farm buildings. Overhead transmission lines are cited as features that detract from the landscape.¹³ The appeal scheme would not be out of character in this location given the adjacent large electricity substation and associated pylons and infrastructure that is already a feature of the locality.
21. Turning to the effects on visual amenity, it was evident at my site visit that there are limited views from public vantage points into the Site because of the local topography and vegetation. Headley Plantation, designated as part of the Leeds Habitat Network, is a mixed deciduous woodland that provides a visual screen to the north-west of the Site. Views from Public Rights of Way in the locality would also be limited and, where possible, from a considerable distance. Planting in the south-western corner of the Site and hedgerow management would screen views from Footpath Bramham 15.¹⁴ However, the proposed facility would be evident from Warren Lane, especially from the new access that would require removal of about 42m of the existing hedgerow. Translocation of this part of the hedgerow would assist in softening views of the BESS from the northern part of Warren Lane. In addition, the proposal to surround the compound with an acoustic fence would, with appropriate materials and finish, help to make the facility less intrusive in views from the Lane.
22. Views into parts of the Site are currently possible from Headley Cottages and Wise Warren Cottages. The proposed tree planting in the south-eastern corner of the Site would in time restrict views of the facility from Headley Cottages. The new hedgerow about 132m long across the centre of the Site would also be beneficial in this regard. Views from Wise Warren Cottages to the north of the site are from a greater distance and in part filtered through the existing trees to the north of the Northern PowerGrid Substation. The

¹³ CD7.5.1.

¹⁴ CD2.15 View 4.

propose new hedgerow along the northern boundary of the Site would make the existing screening more effective.

23. There are views towards the Site from an elevated vantage point near to the access to Highmoor Quarry, some 740m to the north of the Site along Warren Lane.¹⁵ This view south down the length of Warren Lane is classified in the BNP as key long range view LR7. If parts of the proposed BESS would be visible from this distant view point, they would be seen adjacent to the substation, and in the context of a wide panoramic view of the countryside, with a strong linear focus along the lane. The appeal scheme, with appropriate landscaping, would not significantly harm the view down Warren Lane from this vantage point. I find no conflict with BNP Policy H5. In more distant views the BESS compound would not be a significant feature in the wider landscape.
24. I saw the Site in summer with the trees and hedgerows in full leaf. However, it seems to me that the existing and proposed vegetation would provide a considerable degree of effective screening even in winter. The mature trees to the north and west of the site have large canopies. Additional planting within the Site would add to the extent that the existing understorey vegetation beneath these trees would screen views of the BESS. Given the proposed landscaping, along with the separation distance of the BESS compound from dwellings, the appeal scheme would not have a dominating or overbearing effect on the residential amenity of nearby neighbours.
25. The proposed landscaping scheme would accord with the management guideline in LCC's Landscape Character Assessment to strengthen hedgelines by encouraging natural regeneration of hedgerow trees or replanting locally occurring species. LCC in refusing the application considered that the final planting scheme was inadequate to sufficiently soften the proposed development but is now satisfied that the Enhanced Mitigation Scheme does so. LCC's Landscape Team commented that the proposal can be supported in landscape terms, pending the additional information regarding healthy hedge translocation and surplus soil management strategy that could also enhance screening. These are matters that could be addressed by requiring a Landscape Scheme and Management Plan, along with an Arboricultural Method Statement (Conditions 8, 9, 10 and 11), details for the proposed hedgerow translocation (Condition 12) and soil management (Condition 13).
26. I am satisfied that with the Enhanced Mitigation Scheme the proposal would deliver a high-quality design in accordance with LCS Policy P10. The distinctiveness of the landscape would be conserved during the lifetime of the development, and enhanced on its decommissioning, in accordance with LCS Policy P12. I find no conflict with UDP Policies N24, N25 and N37A concerning the assimilation of the scheme into the landscape, boundary treatment and the character of the area. Subject to conditions the proposal would reflect the scale and form of nearby development and would reasonably comply with the other criteria set out in UDP Policy LD1. Measures to plant and safeguard trees would accord with LCS Policies G1 and G2, and gain support from NRWDPD Policy Land 2. I find no conflict with NPPF paragraphs 135 and 187 about recognising the intrinsic character and beauty of the countryside, considering the landscape setting and achieving effective landscaping.

¹⁵ CD2.15 View 1. CD2.21 View 1. CD9.3.2 Appendix 1 Viewpoint 1.

Agricultural land

27. The Site comprises 1.25 ha (44%) of grade 2 agricultural land, 1.53 ha (54%) grade 3a land and 0.05 ha (2%) urban land. The majority of the Site is categorised as Best and Most Versatile (BMV) agricultural land. UDP Policy N35 states that development will not be permitted if it seriously conflicts with the interests of protecting areas of BMV agricultural land. NPPF paragraph 187.b) states that planning decisions should recognise the economic and other benefits of BMV land. Footnote 65, albeit concerning plans, states; "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."
28. The proposed BESS facility would be located on 0.77 ha of land in the northern part of the Site, which is classed as grade 3a agricultural land. The remainder of the Site would be landscaped and easily returned to agricultural production. Condition 5 a) requires restoration of the land to agricultural pasture. A soil management plan could ensure that soils were safeguarded (Condition 13). Given the advantages of siting the BESS in close proximity to the substation, I am satisfied that there are no other sites that would be preferential in terms of utilising land of poorer agricultural quality. The appeal Site is currently used for cereal production, but taking this area of land out of production for the duration of the proposed development and subsequently restoring the land to agricultural pasture would have an insignificant effect on food security.¹⁶
29. The proposal would fall far short of seriously conflicting with the interests of protecting areas of BMV agricultural land, and so I find no conflict with UDP Policy N35. I have taken into account the economic and other benefits of BMV land and consider, in the circumstances that apply in this case, that the proposal would not be at odds with paragraph 187 of the NPPF regarding soils and agricultural land.

Heritage assets

30. The grade II listed Headley Hall Barn and grade II listed Former Aircraft Hangar are located 200m and 400m, respectively, to the south-east of the Site. I am required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of a listed building. Headley Cottages, vegetation and Warren Lane lie in between the Site and Headley Hall Barn. It was apparent at my site visit that the proposed development would not harm the significance of the listed barn because of development within its setting. The former hangar is some distance to the south-east of the agricultural buildings associated with Headley Hall and separated from them by open fields. The separation distance and intervening development means that the BESS would not harm the significance of the former hangar.¹⁷ The proposal complies with LCS Policy P11 concerning conservation.
31. The Site lies within a large area extending from Bramham in the west, to beyond Toulston Lane in the north, Warren Lane to the east and Spen Common Lane to the south, that is identified in the BNP as the site of the Battle of Bramham Moor, and as a potential non-designated heritage asset.¹⁸ However, this site is recognised for the importance of the historic events that

¹⁶ CD9.3.3.

¹⁷ CD1.15 and CD2.12.

¹⁸ BNP Policy H2.

took place there, not for any remaining physical features. There is nothing to indicate that development of the Site for a BESS would result in any harm to the battlefield site, particularly as archaeological interests could be secured by an approved scheme of investigation (Condition 17). Subject to this condition the proposal would comply with UDP Policy N29 concerning archaeological requirements.

Biodiversity

32. The appeal scheme would provide a biodiversity net gain comprising 87.83% in habitat units and a 109.39% gain in hedgerow units.¹⁹ A condition would be necessary to safeguard biodiversity during construction (Condition 14) and to secure biodiversity net gain (Conditions 15 and 16).²⁰ The SoCG states that the potential impacts on bats could be mitigated by a lighting strategy (Condition 7 f)). Subject to these conditions the proposal would comply with LCS Policies G8 and G9, and BNP Policy NE2, which deal with the protection of species and habitat, along with biodiversity improvements.

Fire risk and public safety

33. LCC refused the application because the proposed development did not include adequate mitigation to reduce the risk of fire and did not include several elements of the recommended mitigation identified within the National Fire Chiefs Council guidance or provide justification for any deviation.²¹ The appellant subsequently submitted a Battery Safety Management Plan.²² LCC commissioned a peer review by BST+T, which amongst other things, considered the 8 areas of safety issues identified by West Yorkshire Fire & Rescue Service (WYFRS).²³ WYFRS did not agree or object to the recommendations by BST+T, but indicated by email dated 27 March 2025 that it would provide comments and recommendations.²⁴
34. The appellant indicated that if the BESS system was designed to safely burn out without internal fire suppression systems (to remove the risk of stranded energy in the battery systems), full-scale free burn testing would be conducted to demonstrate that loss would be safely limited to one container without the intervention of the Fire Rescue Service.²⁵
35. Local residents remain concerned about the risk of thermal runaway, fire risk and resultant implications for their safety and disruption to their lives. Many expressed uncertainty and anxiety about the proposal. Concern was raised about the likelihood of evacuation zones and how this would impact upon their travel to work and the provision of services for local residents. Residents are also worried about the proximity of gas and electricity infrastructure resulting in a cumulative risk of fire, toxic gas release and explosion potential.²⁶ However, the appeal site is located about 335m from the closest point of the pipeline's designated outer consultation zone.

¹⁹ ID1 paragraph 1.3.

²⁰ CD2.27 and CD2.28.

²¹ PPG Renewable and low carbon energy paragraph 035 encourages planning authorities to consider guidance produced by the National Fire Chiefs Council.

²² CD9.3.4.

²³ CD12.3.

²⁴ CD12.4.

²⁵ Harmony Energy Emergency Response Plan at CD2.30.

²⁶ ID3.

36. Local anxiety about safety considerations is understandable given the nature of the proposed development, the proximity of nearby dwellings, and the access to the Site via a narrow lane. Nevertheless, I am satisfied for the following reasons, that there is sufficient evidence to indicate that the matters raised by local residents could be addressed by the imposition of appropriate planning conditions.
37. The Battery Safety Management Plan (CD9.3.4), Emergency Response Plan (CD2.30) and Risk Management Plan (CD2.31) submitted by the appellant should be regarded, according to BST+T, as outline or framework documents. BST+T advised LCC that it would be a reasonable approach for final versions of these plans, reflecting the selected technology, construction methodology and finalised construction design, to be submitted for approval before operations commenced. I consider that this would be a reasonable approach provided that these Plans included further provisions to safeguard the wider locality and the local community.
38. A revised Battery Safety Management Plan could secure details of BESS design and testing to inform provisions for containment, detection and monitoring, along with any deflagration prevention and venting, and suppression systems. Furthermore, details about water tank(s)/hydrants, along with access provision for emergency services could also be approved, along with a fire water management plan. The Emergency Response Plan could also include provisions for pollution/spillage of hazardous materials, incident control and exclusion zones that could impact the local community. The Risk Management Plan could also include hazards and risks not only at the facility, but also to the wider area and to the local community. Revision of these Plans would provide an opportunity for WYFRS to be involved at the detailed design stage.
39. Periodic review of the BESS safety plans was discussed at the Inquiry.²⁷ I consider that this would be necessary because battery technology is evolving. Periodic review would ensure that safety provision remained up to date with the latest guidance throughout the duration of the development. However, details about a safety review scheme, including a programme for periodic review and arrangements for the submission and approval of any revisions, would need to be informed by the final BESS design and technology approved pursuant to Condition 7. Therefore, the wording suggested by the parties for a periodic review condition would need to be amended to provide for a scheme to be approved (Condition 27).
40. Subject to the imposition of appropriate planning conditions I consider that the proposed development would not pose an unacceptable risk to public safety. I find no conflict with those parts of UDP Policy GP5 concerning loss of amenity, pollution and danger to health or life. Local fears and reservations about the proposal are a material planning consideration, but given the evidence about battery safety, along with controls imposed by planning conditions, I consider that this is a matter that can only attract slight weight.

²⁷ Harmony Energy's Emergency Response Plan at page 4 and Harmony Energy's Risk Management Plan both state that the Plans would be regularly reviewed and updated in light of relevant industry updates on BESS fire safety and emergency response planning.

Other issues raised by third parties

41. Local residents raised concerns about noise and the effectiveness of enforcement. The illustrative material submitted about the scheme includes an acoustic fence. The technical evidence indicates that noise from the proposed BESS, subject to appropriate planning conditions, would be unlikely to have an unacceptable adverse effect on the amenity of the area. I queried whether the suggested noise condition should include specific reference to the background noise levels recorded in the appellant's assessment (CD2.13). However, given the duration of the development I consider that the wording of the condition advocated by the appellant in the 16 May 2025 version of the draft planning conditions would be appropriate. This provides that background noise levels would be assessed by monitoring and limits imposed using the updated information. I am satisfied that this suggested condition would reasonably provide for timely enforcement of noise limits (Condition 25). Noise from the BESS would not have an unacceptable adverse effect on the amenity of the area.
42. In the interests of the amenity of the area a condition would be necessary to require a Construction Environmental Management Plan, to include measures to ensure that no construction vehicles associated with the development would park and/or wait on surrounding public roads (Condition 18). A Construction Traffic Management Plan would also be necessary for similar reasons (Condition 22). Other conditions concerning access, visibility splays and any necessary remedial highway works would be necessary for highway safety reasons (Conditions 19, 20, 21 and 23).²⁸ The scheme accords with LCS Policy T2 and those parts of UDP Policy GP5 that concern highway congestion and safety. There are no grounds to find against the proposal on traffic and highway safety grounds, particularly as NPPF paragraph 116 provides that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

Energy and other benefits

43. At the time LCC determined the application Harmony BH Limited had requested a 12-year commencement period. However, recent investment in Bramham Substation has made available an earlier connection of BESS with a capacity of 35 MW at the 132/33kv Supply Point Substation. The appellant's agreement with National PowerGrid now requires grid connection to Bramham Substation to take place in 2026.²⁹
44. The UK Battery Strategy 2023 provides that batteries will enable energy to be used in a more flexible way that supports decarbonisation goals by helping to balance the system, maximise the usable output from renewable energy, and avoid the need for new generation capacity.³⁰ Batteries are included as a technology that has a key role in the clean power scenarios set out in the Government's Clean Power 2030 Action Plan in providing flexibility for periods of low wind or sun, or higher electricity demand.³¹ Table 1 of the Action Plan includes a current installed capacity for batteries of 4.5 GW and a 'clean power

²⁸ CD2.25.

²⁹ CD9.3.1.

³⁰ CD7.3.5.

³¹ CD7.3.8.

capacity range' of 23 – 27 GW maximum feasible deployment based on current knowledge of the project pipeline by 2030.³²

45. It was argued at the Inquiry that electricity storage requirements are being met with the number of schemes in the pipeline.³³ However, the Government's 2024 Clean Power 2030 Action Plan has high ambition. It is not clear that all the capacity in the pipeline would be realised by 2030, given grid connection considerations. Full advantage should be taken of those schemes with a secured grid offer that would contribute to meeting the 2030 ambition.
46. The appeal scheme would support the transition to net zero by 2050 and would accord with NPPF paragraph 161, which supports renewable and low carbon energy and associated infrastructure. NPPF paragraph 168 provides that significant weight should be given to the benefits associated with such development and the proposal's contribution to a net zero future. Furthermore, the proposal accords with the PPG, which provides that electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation, and deferring or avoiding the need for costly network upgrades and new generation capacity.³⁴ These benefits of the appeal scheme weigh heavily in its favour.
47. There would also be some economic benefits from job creation, but not much weight can be given to any benefits of farm diversification without evidence that any benefits would be secured for this purpose.

Other matters where planning conditions would be necessary

48. The standard commencement condition would apply (Condition 1). It would be necessary to define the permission and ensure that the development was carried out in accordance with the approved plans and specified capacity for the BESS (Conditions 2 and 3). Conditions would need to specify the duration for a temporary permission and site restoration on decommissioning (Conditions 4, 5 and 6). Given that much of the detail about the scheme is illustrative, a Condition would be required to enable approval to be granted for relevant details of the development (Condition 7).
49. Surface water drainage could be addressed by requiring a scheme to be approved that had regard to fire water management to accord with LCS Policy EN5 and Policies Water 6 and 7 of the NRWDPD (Condition 24).³⁵ Any land contamination could also be addressed by condition in accordance with NRWDPD Policy Land 1 (Condition 26).

Planning balance and planning policy

50. Any limited harm to the visual amenity of the area, to agricultural production and attributable to local fears about battery safety would be far outweighed by the benefits of the BESS in using energy more flexibly. There would also be benefits to local biodiversity, especially in the long term, along with limited economic benefits. The planning balance falls in favour of the scheme. With

³² The footnote to Table 1 states that this range has been informed by internal modelling and an assessment of maximum feasible deployment based on current knowledge of the project pipeline.

³³ ID3.

³⁴ PPG Paragraph: 032 Reference ID: 5-032-20230814.

³⁵ CD2.2.

the imposition of appropriate planning conditions, the appeal scheme would satisfactorily deal with the environmental considerations included in UDP Policy GP5. The proposal would comply with the development plan as a whole. It would also gain support from the NPPF.

Other matters

51. At the Inquiry local residents suggested an alternative site for the proposed development, which they considered would be preferable. I saw this area, which is owned by the University of Leeds, as part of my accompanied site visit. Generally, land may be developed in any way that is acceptable for planning purposes and so there is no requirement to consider whether the proposed development would be more appropriately located at an alternative site. However, where there are clear planning objections to development upon a particular site then alternative sites might be a material planning consideration. Much depends upon the extent and significance of any harm from the proposed development, along with any conflict with relevant policy.
52. In this case the proposal accords with the development plan and the harm I have identified would be so little that there would be no need to consider whether it might be avoided. I appreciate that residents believe that the appellant's alternative site assessment is deficient.³⁶ Nevertheless, I consider that there are no conspicuous adverse effects such that the possibility of an alternative site lacking such drawbacks necessarily itself becomes a relevant planning consideration in determining this appeal.

Conditions

53. The suggested Conditions cited in the Reasons section of this decision are necessary, relevant to planning and to the proposed development, enforceable, precise and reasonable in all other respects. There is clear justification for the imposition of the conditions that are required to be discharged before commencement of development. The appellant has agreed to these in the suggested conditions submitted to the Inquiry. The wording of some of the suggested conditions would need to be amended for reasons of enforceability and precision.

Conclusion

54. The proposed development accords with the development plan and there are no material considerations to indicate that the appeal should be determined otherwise than in accordance with it. For the reasons given above, the appeal should be allowed.

J Woolcock

INSPECTOR

³⁶ CD2.29.

APPEARANCES

FOR LEEDS CITY COUNCIL (LCC):

Shemuel Sheikh
Counsel

Instructed by Amy Davis
Principal Legal Officer LCC

He called

Daniel Strode MRTPI
Louise White

Senior Minerals Planner LCC
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FOR THE APPELLANT:

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He called

Frances Nicholson MRICS
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INTERESTED PERSONS:

Cllr Lamb
Lisa Mead
Cllr Corrigan
Julie Dunlop
Karen Williams

LCC Councillor Wetherby Ward
Local resident
Bramham-cum-Oglethorpe Parish Council
Local resident
Local resident

SCHEDULE OF CONDITIONS (1-27)

For the purposes of the following Conditions reference to;

- the 'development' is to the development hereby permitted by this permission, namely the installation of a battery energy storage system (BESS), including associated infrastructure and access,
- the 'Site' is to the area outlined in red on Location Plan Ref:BM_LP_Rev_G, dated 03/08/23.

1. The development hereby permitted shall commence no later than the expiration of three years from the date of this permission.
2. The BESS shall have an export capacity not exceeding 35 MWac.
3. The development hereby permitted shall be carried out in accordance with the following drawings and such other drawings/documents as may be approved in writing by the local planning authority pursuant to other Conditions of this permission:
 - Location Plan Ref:BM_LP_Rev_G, dated 03/08/23
 - Proposed Parameters Plan Ref:BM_PPP_Rev E, dated 09/02/2024
 - Visibility Splays Plan Ref:5223 P2 03 01 REV G, dated 23/01/2023
 - Passing Place Plan Ref:5223 P2 01 02 REV E, dated 23/01/2023
4. Planning permission is granted for a temporary period only and shall cease to have effect 40 years following the date of receipt of the Final Operational Notification from the District Network Operator (or equivalent organisation). Written confirmation shall be submitted to the local planning authority within 14 working days of the date of its receipt from the District Network Operator (or equivalent organisation).
5. In the event that the BESS ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for its removal, including all associated structures, equipment, access and passing bays, shall be submitted to and approved in writing by the local planning authority within 3 months of the end of the 12-month period. The restoration scheme shall include the following:
 - a) Details of the retention of any approved boundary treatment(s) and planting on the Site.
 - b) A written scheme of restoration of the Site to agricultural pasture.The approved scheme of restoration shall be fully implemented and completed within 12 months of written approval by the local planning authority being issued.

6. Eighteen months before the end of the 40-year operational period, taken from the Final Operational Notification date submitted under Condition 4, a Restoration Scheme for the removal of the BESS and all associated development shall be submitted to the local planning authority for approval in writing. The scheme shall include details and measures to address the following:
- a) Removal of the development and restoration of the land to agricultural pasture.
 - b) Removal of the access from the Site to the public highway shown on the Visibility Splays Plan Ref:5223 P2 03 01 REV G.
 - c) Retention of any approved planting and its protection during the decommissioning phase.
 - d) Details of the decommissioning highway works, including visibility splays as shown on the drawing Visibility Splays Plan Ref:5223 P2 03 01 REV G and passing places shown on the drawing Passing Place Plan Ref:5223 P2 01 02 REV E. The decommissioning highway works shall be maintained for the duration of the decommissioning stage.

The approved Restoration Scheme shall be implemented and completed within 12 months of the end of the 40-year period taken from the date submitted under Condition 4.

7. No Battery Units, ancillary structures, fencing, external lighting and CCTV shall be installed until the relevant details have been submitted to and approved in writing by the local planning authority. The details shall include:
- a) A Site Layout Plan, scaled at 1:500, in general accordance with the Illustrative Proposed Site Layout Plan Ref:BM_PSP_Rev N(env), dated 08/02/24. The Compound shall be in the location identified in the Proposed Parameters Plan Ref:M_PPP_Rev E, dated 09/02/24. The Site Layout Plan shall specify the spacing between BESS Units, transformer units, switch room, auxiliary transformer, water tanks and acoustic fencing.
 - b) The External Permeable Track shown on the Illustrative Proposed Site Layout Plan Ref: BM_PSP_Rev N(env), dated 08/02/24, and the internal road within the Compound shall be constructed and surfaced to provide for the passage of fire and rescue service emergency response vehicles.
 - c) The Compound shall have 2 gateway entrances off the External Permeable Track that are suitable for fire and rescue service emergency response vehicles.
 - d) Elevation Plans to show that the development is no greater than the heights specified on the Proposed Parameters Plan Ref:BM_PPP_Rev E, dated 09/02/24.
 - e) Details of external materials and finishes, including measurements, design, colour, positions and layout for the BESS Units, transformer units, switch room, auxiliary transformer, signage and water tanks.
 - f) A lighting strategy to safeguard bats and provide details of external lighting that shall include measures to reduce light spill beyond the areas that need to be lit.
 - g) Details of CCTV that shall specify infrared CCTV and which shall be directed towards the Site and its immediate environs, or away from residential properties.

h) Design and technology for the BESS units.

The development shall thereafter be carried out only in accordance with the approved details.

8. No site clearance or vegetation clearance works shall be commenced until a detailed Landscape Scheme has been submitted to and approved in writing by the local planning authority. The Landscape Scheme shall be prepared in accordance with the Enhanced Mitigation Strategy Ref: TPLA 2.2 and shall set out details of hard and soft landscape works, including an implementation schedule. The Landscape Scheme shall demonstrate how the development would be screened in views from public vantage points and nearby dwellings for the duration of the development.

Hard landscape details shall include dimensions, proposed finished levels/gradients and sections, materials and colours, along with details about the following:

- a) Finished levels and/or contours.
- b) Boundary details, means of enclosure and retaining structures.
- c) Car parking layout.
- d) Other vehicle and pedestrian access and circulation areas.
- e) Hard surfacing areas.
- f) Details of the security fence which shall not exceed 2.4m in height, minor artefacts and structures (signs, lighting, bollards, signage etc).
- g) Proposed and existing functional services above and below ground.

Soft landscape works shall include:

- (h) Detailed planting plans including the locations of trees, shrubs, grasses, bulbs and hedge planting.
- (i) Written specifications (including cultivation, stock handling/quality, seasonal/weather restrictions, planting methods, soil amelioration, drainage, irrigation and surface finish.
- (j) Schedules of plants noting species, planting sizes and proposed numbers/densities.

The approved Landscape Scheme shall be implemented in accordance with the approved schedule and shall thereafter be retained and managed in accordance with the approved details for the duration of the development.

9. No works or development shall commence until a written Arboricultural Method Statement (AMS) in accordance with British Standard 5837 *Trees in relation to design, demolition and construction* (2012) for a tree care plan has been submitted to and approved in writing by the local planning authority. No works shall commence until all existing trees, hedges and vegetation shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and the specifications and the provisions of BS5837. The safeguarding shall include any ground areas intended for Structural Planting (clause 6.2 of BS5837) and only the BS5837 default barrier with the scaffold framework shall be employed. A fully dimensioned tree protection plan drawing shall be included in the submission. Such measures shall be retained for the full duration of construction works. No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within

these areas shall not be altered, nor any excavations undertaken, including the provision of any underground services/drainage, without the prior written approval of the local planning authority. Works shall be carried out in accordance with the approved Arboricultural Method Statement.

10. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season.
11. A Landscape Management Plan, including long term design objectives, planting replacement and management responsibilities and maintenance schedules shall be submitted to and approved in writing by the local planning authority prior to the first operation of the BESS. The approved Landscape Management Plan shall be implemented and adhered to for the duration of the development.
12. No development shall commence until a detailed Hedgerow Translocation Method Statement (HTMS) has been submitted to and approved in writing by the local planning authority. The hedge translocation work shall take place in the dormant season (November to March) avoiding periods of frozen ground/ground frost. The hedgerows shall be surveyed by contractors prior to translocation to capture the current condition and vitality. Works and preparation of the receptor site (i.e. the new hedgerow location) should not be undertaken before the hedgerow translocation works. The HTMS shall describe in detail all works, including:
 - a) Preparation of the receptor site.
 - b) Hedge works prior to translocation (coppice and/or trim a minimum of 400mm above the root collar).
 - c) Safe methods of extraction to allow the removal of the root ball as a whole section with the surrounding soil structure.
 - d) Sections shall be placed in the receptor trench in the same order as they were in the original hedgerow.
 - e) The correct height and line of each plant (ref root collars) shall be established prior to any backfilling.
 - f) Backfill trench with topsoil from the original hedge location, firmed but not compacted.
 - g) Any gaps to be filled up using local provenance hedgerow species.
 - h) Protection measures for the hedgerow to be translocated in its current position and/or its proposed position.The development shall be implemented and carried out in accordance with the approved HTMS.

13. No works shall commence until a Soil Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include the quantities of topsoil to be stripped from the site, a plan to show the location of topsoil to be stripped, the method and location of topsoil storage on site, and the management and protection of the topsoil storage areas for the duration of the development. The development shall be implemented and carried out in accordance with the approved Soil Management Plan.
14. No development shall commence until a Construction Environmental Management Plan (CEMP:Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP:Biodiversity shall put in place measures to retain and protect the 1.67 Hedgerow Units as identified in the On-site Hedgerow Baseline Units to be Retained and Enhanced in the Biodiversity Metric 4.0 Calculation Tool and include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of biodiversity protection zones.
 - c) Measures to avoid or reduce impacts during construction on amphibians, badgers and hedgehogs.
 - d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds.
 - e) The times during construction when specialist ecologists would need to be present on Site to oversee works.
 - f) The role of a responsible person (Ecological Clerk of Works) and lines of communication.
 - g) Use of protective fences to BS5837, exclusion barriers and warning signs.
- The approved CEMP:Biodiversity shall be adhered to and implemented throughout the construction period in accordance with the approved details.
15. No development shall commence until a Landscape & Biodiversity Net Gain Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall deliver a minimum of 11.49 Habitat Units and 3.5 Hedgerow Units on land identified in the Headline Results for On-site Post Intervention in the Biodiversity Metric 4.0 Calculation Tool and include details of the following:
- a) Description of features to be managed to include Baseline Metric calculations of Biodiversity Units with condition assessments and UKHab mapping.
 - b) Extent and location/area of proposed features and Biodiversity Units on scaled maps and plans using UKHab mapping, with Target Condition assessments and Metric calculations.
 - c) Ecological trends and constraints on site that might influence management.
 - d) Aims and Objectives of management to include Target Biodiversity Units and Target Condition Criteria.
 - e) Appropriate management Actions for achieving Aims and Objectives.
 - f) A dated Annual Work Programme (to cover the initial 5-year period).
 - g) Details of the specialist ecological management body/organisation responsible for implementation of the Plan.

- h) For each of the first 5 years of the Plan, a progress report shall be sent to the local planning authority, within 3 months of each year being completed, by an appropriately qualified ecological consultant reporting on progress of the Annual Work Programme and confirmation of required Actions for the next 12-month period.
- i) Confirmation that habitat monitoring will be carried out in years 1, 3, 5, 10, 20 and 30.
- j) The Plan shall set out how contingencies and/or remedial action would be identified, approved and implemented when necessary.
- k) A programme for the Plan to be reviewed and updated every 5 years. Reviews shall be submitted to the local planning authority for written approval in accordance with the approved programme.

The development shall be implemented in accordance with the latest version of the approved Landscape & Biodiversity Net Gain Management Plan.

16. BNG Habitat Monitoring Reports shall be carried out in Years 1, 3, 5, 10, 20 and 30 by an appropriately qualified ecological consultant, and shall be submitted (within 3 months of each year being completed) for approval in writing by the local planning authority. The BNG Habitat Monitoring Reports shall include the following:

- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 11.49 Habitat Units and 3.5 Hedgerow Units on land identified in the Headline Results for Onsite Post-Intervention in the Biodiversity Metric 4.0 Calculation Tool.
- b) Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required.
- c) How the monitoring is funded and the appointed specialist ecological body. Where remedial measures or changes in management are required, these shall be addressed in updates of the Landscape & Biodiversity Net Gain Management Plan and its Annual Work Programmes.

17. No development shall commence until a Written Scheme of Archaeological Investigation (WSI) has been submitted to and approved in writing by the local planning authority. No demolition/development shall take place other than in accordance with the approved WSI, which shall include the statement of significance and research objectives along with:

- a) The programme and methodology of Site investigation and recording and the nomination of a competent person(s) or organisation to undertake the approved works.
- b) The programme for post-investigation assessment and subsequent analysis, publication, dissemination and deposition of resulting material.

The development shall be implemented in accordance with the approved WSI.

18. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall contain the following details:

- a) A scheme to control noise and dust.

- b) Engineering and construction works shall be limited to only taking place between 0800 hours and 1800 hours Mondays to Fridays and 0800 hours and 1400 hours on Saturdays.
- c) Loading and unloading of plant and materials.
- d) Storage of plant and materials used in constructing the development.
- e) Details of the temporary compound area, including fencing.
- f) Full details of any temporary external lighting.
- g) Measures for the protection of habitats and species within the Site.
- h) A Community Liaison Plan, to include details of how consultation and dialogue with local residents will be maintained during the construction and decommissioning phases.
- i) Details of the Construction Site Manager shall be provided to the local planning authority, Bramham Parish Council, and residents of Warren Lane and Spen Common Lane. The Construction Site Manager's details shall be provided on a Site board at the Site Access.
- j) Construction stage emergency response plan and incident response system(s), including responsible persons and lines of communication.
- k) A scheme to demonstrate that the Construction Site Manager shall ensure that no construction vehicles associated with the development shall be permitted to park and/or wait on Warren Lane, Spen Common Lane or any other surrounding public roads within the Bramham Parish Boundary, including outside of the permitted working hours.

The construction and decommissioning of the Site shall be carried out in accordance with the approved CEMP.

19. Means of vehicular access to and from the site shall only be as shown on the Visibility Splays Plan Ref:5223 P2 03 01 REV G. The vehicular access gradient shall not exceed 1 in 12. Any gates across the access road to the development site shall be set back 25m from the back edge of the highway, and only open inwards into the Site.

20. The development shall not commence until the access onto Warren Lane, the visibility splays shown on the drawing Visibility Splays Plan Ref:5223 P2 03 01 REV G and the passing places shown on the drawing Passing Place Plan Ref:5223 P2 01 02 REV E have been completed. The access and visibility splays shall be retained for the duration of the development whereas the passing places shall only be provided during the construction and decommissioning phases.

21. Development shall not be operated until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycletracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway.

22. The Construction Traffic Management Plan Ref:LTP/22/5223 REV E, dated April 2025, shall be implemented at the commencement of works and adhered to for the duration of the construction works. All Heavy Commercial

Vehicles and Abnormal Indivisible Load Vehicles associated with the construction of the Site must approach and leave the Site via the route shown in Figure 6 of the Construction Traffic Management Plan Ref: LTP/22/5223 REV E dated April 2025. Vehicles must arrive at the Site via the A1(M), A64, A659, Rudgate, C306 to Warren Lane and vehicles must leave the Site via Warren Lane, C306, C305, A659, A64 to the A1(M).

23. A survey of the condition of Warren Lane and Toulston Lane, including details about any remedial works, shall be submitted to and approved in writing by the local planning authority at each of the following stages:
- (a) Prior to any development commencing but following completion of the passing places on Warren Lane.
 - (b) Following completion of construction works, including removal of the passing places on Warren Lane.
 - (c) Prior to the commencement of decommissioning works, including the installation of the passing places on Warren Lane.
 - (d) Following the decommissioning and removal of passing places on Warren Lane.

Remedial works to rectify any damage or defects to the public highway identified between the surveys shall be completed within three months of the remedial works being approved by the local planning authority. In the event that a defect associated with operation of the development is identified during other routine inspections of the highway that is a danger to the public it shall be immediately made safe and repaired within 24 hours by the BESS Operator following notification by the local planning authority.

24. No development shall commence until a Surface Water Drainage Scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be prepared in general accordance with the Flood Risk Assessment & Drainage Strategy, dated October 2023, and shall take into account the Fire Water Management Plan required by Condition 27 of this permission. The scheme shall include a timetable for its implementation and management. The Surface Water Drainage Scheme shall be implemented in accordance with the approved details and thereafter retained and managed for the duration of the development.

25. The rating level of noise due to the operation of the development, shall not exceed the representative daytime (07:00 to 23:00 hours) and night-time (23:00 to 07:00 hours) background sound levels at the closest boundary of the noise sensitive receptors listed below:

- No.9 Headley Hall Cottages, Spen Common Lane
- Wise Warren Cottages, Warren Lane

The assessment shall be determined in accordance with British Standard 4142:2014+A1:2019 *Methods for rating and assessing industrial and commercial sound*.

The development shall include an acoustic fence. Details about the design, construction, materials, colour and siting of the acoustic fence, which shall be not less than 2.4m and not more than 3m in height, shall be submitted to the local planning authority for approval in writing. The acoustic fence shall be

installed in accordance with the approved details prior to the operation of the BESS and thereafter retained.

The BESS not be brought into operation until an Operational Noise Assessment has been submitted to and approved by the local planning authority. The assessment shall demonstrate how the above noise limits would be achieved when the BESS is operating at peak load. Any noise mitigation required as part of this approved assessment shall be maintained for the duration of the development.

Within 28 days from the receipt of a written request from the local planning authority and following a noise complaint to the local planning authority from the occupant of a residential dwelling that lawfully exists or has planning permission at the date of this permission, the BESS operator shall submit a Report to the local planning authority for approval in writing. The Report shall detail the results of acoustic monitoring undertaken and where required, a schedule of remedial works with timescales for implementation. Any remedial works shall be carried out in accordance with the approved details.

26. The local planning authority shall be notified in writing within 3 working days where unexpected significant contamination is encountered during any development works and operations in the affected part of the Site shall cease immediately. The affected part of the Site shall be confirmed in writing by the local planning authority. Where remediation of unexpected significant contamination is considered by the local planning authority to be necessary, a Remediation Strategy shall be submitted to and approved in writing by the local planning authority prior to the recommencement of development on the affected part of the Site. The Remediation Strategy shall include a programme for all remediation works and for the provision of verification information. Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the local planning authority in accordance with the approved programme. The Site or phase of the Site shall not be brought into use until such time as all necessary verification information has been approved in writing by the local planning authority. In the event that no unexpected significant contamination is encountered, written confirmation shall be submitted to the local planning authority prior to the first operation of the BESS.

27. No development shall commence until a revised Battery Safety Management Plan, a revised Emergency Response Plan and a revised Risk Management Plan have been submitted to and approved in writing by the local planning authority.

The revised Battery Safety Management Plan shall be prepared in general accordance with the Battery Safety Management Plan Ref: OWC-046715-001-REP001-C, dated November 2024, and shall take into account Leeds City Council's BESS peer safety review for the Bramham BESS site by BST+T Consultancy Services, undated. The revised Battery Safety Management Plan shall include details about the following:

- a) Site wind data, including direction and speed.
- b) Size, capacity and design of water tank(s)/hydrants, along with access provision for emergency services.

- c) Details of BESS units design and testing to inform provisions for containment, detection and monitoring, and any deflagration prevention and venting, and suppression systems.
- d) A fire water management plan to include provision for fire water run-off to be contained within the Site, tested before release and removed from the Site to be treated.
- e) A vegetation control management plan.
- f) The fire-retardant properties of the acoustic fence required by Condition 25.

The revised Risk Management Plan shall be prepared in general accordance with Harmony Energy's Risk Management Plan, dated March 2024, and shall include hazards and risks not only at the Site, but also to the wider area and to the local community.

The revised Emergency Response Plan shall be prepared in general accordance with Harmony Energy's Bramham BESS Emergency Response Plan, undated, and shall include provisions for pollution/spillage of hazardous materials, incident control and exclusion zones that could impact the local community.

No BESS Unit shall be brought onto the Site until a Review Scheme to periodically review and update the approved Battery Safety Management Plan, Risk Management Plan and Emergency Response Plan has been submitted to and approved in writing by the local planning authority. The Review Scheme shall include details about a programme for periodic review, to include a timetable for the submission of any revised Plans for the written approval of the local planning authority. The approved Review Scheme shall be implemented for the duration of the development.

The development shall be implemented and operated in strict accordance with the latest approved Battery Safety Management Plan, Emergency Response Plan and Risk Management Plan.

End of conditions

DOCUMENTS SUBMITTED AT THE INQUIRY (ID)

ID	1	Opening Submissions on behalf of the Appellant
ID	2	Opening Submissions on behalf of the Local Planning Authority
ID	3	Statement by Lisa Mead
ID	4	Plan showing Leeds Green Belt
ID	5	Suggested Planning Conditions by the appellant and LCC
ID	6	Comments on Draft Planning Conditions by Cllr Lamb and the Warren Lane Residents' Group
ID	7	Appellant's response to ID6

CORE DOCUMENTS (CD)

1.1	Planning Statement, July 2023
1.2	Design and Access Statement, July 2023 [Superseded]
1.3	Flood Risk Assessment and Drainage Strategy, April 2023 [Superseded]
1.4	Landscape and Visual Appraisal, June 2023 [Superseded]
1.5	Soft Landscape Proposals Plan Ref:0207-PP-01, PL04, July 2023 [Superseded]
1.6	Ecological Appraisal, April 2023 [Superseded]
1.7	Badger Survey Report, April 2023
1.8	Biodiversity Metric Calculation Tool, 24 April 2023 [Superseded]
1.9	Transport Statement, May 2023 [Superseded]
1.10	Construction Traffic Management Plan, May 2023 [Superseded]
1.11	Agricultural Land Classification Survey, 2 April 2023 [Superseded]
1.12	Noise Impact Assessment, April 2023 [Superseded]
1.13	Arboricultural Report, July 2023 [Superseded]
1.14	Existing Site Plan Ref: BM_ESP_Rev 0, 25 July 2023
1.15	Heritage Statement, May 2023
1.16	Statement of Community Involvement, 25 July 2023
1.17	Planning Application Form Ref:PP-11726097, 21 August 2023
1.18	Sustainability Checklist, 21 August 2023
1.19	Location Plan Ref:BM_LP_Rev G, 21 August 2023
1.20	Illustrative Site Layout & Elevations Ref:BM_ISLE_Rev E, 21 Aug 2023
1.21	Illustrative Proposed Site Plan Ref:BM_PSP_Rev L, 21 August 2023 [Superseded]
1.22	Proposed Parameters Plan Ref:BM_PPP_Rev E, 21 August 2023 [Superseded]
2.1	Rev. Design and Access Statement, October 2023
2.2	Rev. Flood Risk Assessment and Drainage Strategy, 24 Oct 2023
2.3	Rev. Agricultural Land Classification Report, 24 October 2023
2.4	Rev. Planning Statement, 24 October 2023
2.5	Rev. Arboricultural Report, September 2023 [Superseded]
2.6	Rev. Soft Landscape Proposals Plan Ref:0207-PP-01, PL05, 24 October 2023 [Superseded]

2.7	Rev. Transport Statement, September 2023 [Superseded]
2.8	Rev. Construction Traffic Management Plan, September 2023 [Superseded]
2.9	Rev. Ecological Assessment_V3, October 2023 [Superseded]
2.10	Rev. Biodiversity Metric Calculation Tool, October 2023 [Superseded]
2.11	Rev. Noise Impact Assessment DC4029-NR1v6, November 2023 [Superseded]
2.12	Historic Environment Response, 1 December 2023
2.13	Rev. Noise Impact Assessment, DC4029-NR1v5, 24 October 2023
2.14	Alternate Site Assessment. Final. 11 December 2023 [Superseded]
2.15	Photomontages, 14 December 2023
2.16	Rev. Illustrative Proposed Site Plan BM_PSP_Rev N(env) 9 February 2024
2.17	Rev. Proposed Parameters Plan BM_PPP_Rev E, 9 February 2024
2.18	Fire Water Management Plan Rev 1, 23 January 2024, 9 February 2024
2.19	Rev. Safety Impact and Fire Risk Mitigation Report, 7 February 2024
2.20	Rev. Arboricultural Report Rev 3, 19 February 2024
2.21	Rev. Landscape and Visual Assessment V7, February 2024
2.22	Rev. Soft Landscape Proposals Plan Ref:0207-PP-01, PL07, February 2024 [Superseded]
2.23	Rev. Alternative Site Assessment, 4 March 2024
2.24	Rev. Alternative Site Assessment Addendum- Catchment Plans 5, March 2024
2.25	Rev. Transport Statement, March 2024 Rev D
2.26	Rev. Construction Traffic Management Plan Rev D, March 2024 [Superseded]
2.27	Rev. Biodiversity Metric V2, 24 October 2023
2.28	Rev. Ecological Assessment V4, 11 March 2024
2.29	Rev. Alternative Site Assessment - Adjoining Land Plan Page 27, 4 April 2024
2.30	Add. Emergency Response Plan 4, April 2024
2.31	Add. Risk Management Plan, March 2024
2.32	Proposed Access Low Loader Spa Ref:LTP/5223/P2/02.01 E, 24 April 2024
2.33	Artic HGV Route Assessment A659, Warren Lane Exiting Site Ref:LTP/5223/T1/05.03 A, 24 April 2024
2.34	Artic HGV Route Assessment Warren Lane Entering & Exiting Site Ref:LTP/5223/T1/05.04 B, 24 April 2024
2.35	Stage 1 Road Safety Audit, April 2024
2.36	Proposed Access Visibility Splays Ref:LTP/5223/P2/03.01 G, 24 April 2024
2.37	Low Loader Route Assessment A659, Warren Lane Entering Site Ref:LTP/5223/T1/02.02 B, 24 April 2024
2.38	Warren Lane Route Passing Places Prelim Design Ref:LTP/5223/P2/02.01 E, 24 April 2024
2.39	Proposed Access Artic HGV Spa Ref:LTP/5223/P2/02.03 D, 24 April 2024

2.40	Artic HGV Route Assessment A659, Warren Lane Entering Site Ref:LTP/5223/T1/05.02 A, 24 April 2024
2.41	Proposed Access Artic HGV Spa Ref:LTP/5223/P2/02.03 D, 24 April 2024
2.42	Low Loader Route Assessment A659, Warren Lane Exiting Site Ref:LTP/5223/T1/02.03 B, 24 April 2024
2.43	Rev. Construction Traffic Management Plan Rev E, April 2024
2.44	Rev. Soft Landscape Proposals Plan Ref:0207-PP-01 PL08, April 2024 [Superseded]
2.45	Rev. Soft Landscape Proposal Ref:0207-PP-01 PL09, 28 May 2024
3.1	Delegation Report, 21 June 2024
3.2	Decision Notice, 21 June 2024
4.1	Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019)
4.2	Saved Policies of the Leeds Unitary Development Plan (Review 2006)
4.2.1	Saved Policies of the Leeds Unitary Development Plan (Review 2006) (Appendices)
4.3	Site Allocations Plan (2019, as amended 2024)
4.4	Natural Resources and Waste Development Plan Document (2013, as amended 2015)
4.5	Bramham Neighbourhood Plan 2018 - 2033 (2019)
4.6	Policies Map 13a
5.1	Leeds Local Plan Update Regulation 19
6.1	Appeal Ref. APP/C3430/W/22/3292837- Wolverhampton
6.2	Appeal Ref. APP/N2739/W/22/3300623 - Selby
6.3	Appeal Ref. APP/N5090/W/22/3298962 - Mill Hill
6.4	Appeal Ref. APP/K0425/W/22/3294722 - Bourne End
6.5	Appeal Ref. APP/W1525/W/22/3306710 - Wickford
6.6	Appeal Ref. APP/V1505/W/23/3332888 - Basildon
6.7	Appeal Ref. APP/V4630/W/24/3347424 - Walsall
6.8	Appeal Ref. APP/Q4245/W/24/3354822 - Carrington
6.9	Appeal Ref. APP/C4615/W/24/3345744 - Halesowen
7.1.1	Infrastructure Planning (Electricity Storage Facilities) Order 2020
7.1.2	The Climate Change Act 2008 (2050 Target Amendment) Order 2019
7.1.3	The Energy Act 2013
7.1.4	Five Year Review of the Energy Act 2013
7.1.5	Planning and Compulsory Purchase Act 2004 [Section 38(6)]
7.2.1	National Planning Policy Framework (2024)
7.2.2	Overarching National Policy Statement for Energy (EN-1) (Nov 2023)
7.2.3	National Policy Statement for Renewable Energy Infrastructure (EN-3) (November 2023)
7.2.4	National Policy Statement for Electricity Networks Infrastructure (EN-5) (November 2023)
7.2.5	Written Ministerial Statement (WMS): Building the Homes we Need (30 July 2024)
7.3.1	National Infrastructure Assessment (October 2023)
7.3.2	Powering Up Britain Energy Security Plan (March 2023)

7.3.3	Infrastructure Progress Review 2023 (March 2023)
7.3.4	Progress in Reducing Emissions: 2023 Report to Parliament (June 2023)
7.3.5	UK Battery Strategy (November 2023)
7.3.6	Great British Energy Founding Statement (25 July 2024)
7.3.7	The Seventh Carbon Budget February 2025
7.3.8	The Clean Power 2030 Action Plan 2028 to 2042
7.3.9	National Energy System Operator (NESO) Clean Power 2030
7.4.1	Leeds City Council Climate Change Strategy
7.4.2	Leeds Climate Emergency Advisory Committee
7.4.3	Leeds Climate Emergency Annual Report 2023
7.5.1	Leeds City Council Landscape Character Assessment 1994
7.6.1	Natural England Guide to Assessing Development Proposals on Agricultural Land (Updated 5 February 2021)
7.6.2	Cereal and Oilseed Production in the United Kingdom 2023 (DEFRA) (Updated 29 October 2024)
7.7.1	University of Leeds Climate Plan
7.7.2	University of Leeds Net Zero Plan
8.1	Climate and Energy Team (10 October 2023)
8.2	Conservation Team (27 November 2023)
8.3	Contaminated Land Team (28 September 2023)
8.4	Design Team (5 October 2023)
8.5	Environment and Design Group Acoustics (9 January 2024)
8.6	Environmental Health Services (9 November 2023)
8.7	Environmental Studies Transport Strategy Team (19 Sept 2023)
8.8	Flood Risk Management (21 September 2023)
8.9	Highways Team (11 October 2023)
8.10	Highways Team (14 February 2024)
8.11	Highways Team (10 April 2024)
8.12	Highways Team (22 May 2024)
8.13	Historic England (28 September 2023)
8.14	Landscape Team (10 October 2023)
8.15	Landscape Team (9 November 2023)
8.16	Landscape Team (23 November 2023)
8.17	Landscape Team (7 March 2024)
8.18	National Gas (25 September 2023)
8.19	National Grid (4 October 2023)
8.20	National Grid (4 October 2023)
8.21	National Highways (27 October 2023)
8.22	Nature Team (8 November 2023)
8.23	Public Rights Way (5 October 2023)
8.24	West Yorkshire Archaeological Service (16 October 2023)
8.25	West Yorkshire Fire and Rescue Service (23 November 2023)
8.26	West Yorkshire Fire and Rescue Service (1 March 2024)
8.27	West Yorkshire Fire and Rescue Service (13 June 2024)
8.28	Yorkshire Water Services Ltd Developer Services (19 Sept 2023)

9.1	Appeal Form
9.2	Final Statement of Common Ground
9.3	Appellant's Statement of Case
9.3.1	Appendix 1 Grid Connection Technical Note
9.3.2	Appendix 2 Landscape and Visual Matters Topic Paper
9.3.3	Appendix 3 Agricultural Land Topic Paper
9.3.4	Appendix 4 Battery Safety Management Plan
9.3.5A	Appendix 5 Site Constraints Plan
9.3.5B	Appendix 5 Site Constraints Plan (ALC)
9.3.6	Appendix 6 University of Leeds Letter of Support
9.4	Core Documents List
9.5	LPA Position Statement
10.1	CMC Summary Note
10.2	Pre-Inquiry Note
11.1	Matthew Sharpe (Planning) Proof
12.1	Councillors Lamb and Harrington
12.2	Residents of Warren Lane and Spen Common Lane
12.3	BST+T Peer Safety Review
12.3.1	Email from BST+T
12.3.2	Email from BST+T
12.4	West Yorkshire Fire and Rescue Service
12.5	National Highways
12.6	Historic England
12.7	LCC Landscape Team
12.8	LCC Contaminated Land