

ROTHERHAM METROPOLITAN BOROUGH COUNCIL PLANNING BOARD

PLANNING, REGENERATION AND
TRANSPORT SERVICE

REPORT TO COMMITTEE
DATE 12 June 2025

ITEM 1

Application Number	RB2024/0063 & RB2024/0321
Proposal and Location	Appeals relating to two 100MW battery storage facilities at Moat lane, Wickersley
Recommendation	(1) RB2024/0063 - That the Council withdraws the reason for refusal relating to the inappropriate development in the Green Belt (2) RB2024/0321 – That the Council withdraws the reason for refusal relating to the inappropriate development in the Green Belt

Background

At Planning Board on 21 November 2024 two 100MW battery storage facilities RB2024/0321 & RB2024/0063 were recommended for approval on the basis that very special circumstances had been demonstrated to overcome the harm by reason of inappropriateness and the harm to the openness of the Green Belt.

Planning Board Members subsequently refused both applications for the following reasons:

01

The Council considers that the proposed battery storage facility would represent inappropriate development in the Green Belt, would have an adverse impact on the openness of the Green Belt, and would not safeguard the countryside from encroachment. The applicant has failed to demonstrate very special circumstances to justify this inappropriate development and the harm caused to the openness of the Green Belt, and any other harm. As such, the proposal is considered to be contrary to Local Plan Policies CS4 'Green Belt' and SP2 'Development in the Green Belt' as well as the guidance contained within the National Planning Policy Framework (NPPF).

02

Green Lane by virtue of its restricted width and lacking in separate pedestrian facilities is inadequate to cater for the proposed construction traffic associated with the battery storage facility. As such the proposal would be detrimental to both highway and pedestrian safety.

The applicant's for both applications have now appealed the refusals and the Planning Inspectorate is looking to consider both appeals jointly by way of a Public Inquiry. Both appellants argue that the sites fall within the Government's new 'Grey Belt' definition (NPPF revision December 2024) which has been introduced since the original decision, and that the battery storage facilities no longer represent inappropriate Green Belt development.

The remainder of this report assesses the appellants' assertion and whether the sites do represent 'not inappropriate' Grey Belt development within the Green Belt.

The highways reason for refusal on both appeals are not affected.

Changes to the National Planning Policy Framework in December 2024

The December 2024 revision of the National Planning Policy Framework (NPPF) introduced significant changes concerning Green Belt land, notably the formalisation of the Governments "Grey Belt" concept.

Paragraph 155 states: "The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."

Paragraph 155(a) - Whether applications RB2024/0063 & RB2024/0321 are located on 'Grey Belt' land

In respect of whether the site constitutes 'grey belt' land the NPPF states: "For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

Firstly, the site is not considered to be previously developed land, as defined in the NPPF, but is 'any other land'. In respect of the 'purposes' of the Green Belt, (a), (b), or (d) in paragraph 143, these are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- d) to preserve the setting and special character of historic towns; and

To constitute 'grey belt' the development must not conflict with any of these purposes.

Purpose (a) – Sprawl:

The Framework does not contain a definition of what might constitute 'sprawl'. Concluding on whether the development would conflict with Purpose (a) depends on the relationship of the site with the large built-up area. Here, the sites are not immediately adjacent to a large built-up area. Rather, they are set close to the existing substation within the open countryside.

As such, the developments would be physically and visually discrete from nearby large built-up areas. In this context, the sites, either individually or when combined, do not strongly contribute to Purpose (a) - sprawl.

Purpose (b) – Merging of towns:

In this instance, there would be a loss of Green Belt land between the town of Wickersley & the settlement of Thurcroft. This would result in a minor reduction in the gap between these settlements, though significant open land would remain between the sites and these built up areas. The development would have limited material impact on the perception of the gap, especially considering the significant landscaping proposed.

Purpose (d) – Setting of historic towns:

There are no historic towns in the vicinity of the appeal sites, and as such Purpose 'd' is not compromised.

In terms of Footnote 7, this states: "The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

In this instance, the land to be developed does not fall within, or directly affect, any of the designations referred to in Footnote 7.

In view of the above, the application sites are considered to be in the Grey Belt. Notwithstanding this view, paragraph 155(a) of the NPPF goes on to note that the development should not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. In this instance, the remaining purposes of the Green Belt, set out in paragraph 143 of the NPPF, are:

"c) to assist in safeguarding the countryside from encroachment;
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

As to Purpose (c), given the relatively small scale of the proposals, either individually or when combined, the harm resulting from encroachment on the Green Belt across the total area of the Local Plan would be negligible. Finally on Purposes (e) the nature of the developments means they need to be located close to the substation they serve. There are no nearby industrial sites more suitable for such a use, and the impact in terms of urban regeneration on the Green Belt across the total area of the Local Plan would be negligible.

Based on these conclusions, the appeal sites are considered to meet paragraph 155(a). However, for the proposals to be considered as 'not inappropriate' development they must satisfy all of the criteria, a to d, listed in paragraph 155 of the NPPF.

Paragraph 155(b) - Whether there is a demonstrable unmet need for the type of development proposed under applications RB2024/0063 & RB2024/0321

Paragraph 155b requires there to be a demonstrable unmet need for the type of development proposed. This is taken to be an unmet need across the Borough of the development proposed (for example, does the Council have sufficient land for housing in the Borough), and not a question of whether there is a need for this specific development at this location.

The Council's original Planning Board reports went into significant detail as to the need for the development in terms of achieving net zero and supporting the National Grid's transition to renewable energy. As such it is considered there is an unmet need for this type of development. This is reflected in several appeal decisions where Inspectors have accepted that there is such a need for this type of development.

Paragraph 155(c) - Whether the developments proposed under applications RB2024/0063 & RB2024/0321 would be in a sustainable location.

This cross references paragraphs 110 and 115 of the NPPF. Those 2 paragraphs are concerned principally with patterns of growth, choice of transport modes, safe access and impacts on the transport network. The thrust of the advice relates to reducing the need to travel, especially by private car.

In this instance the battery storage facilities are designed to be unmanned with engineers visiting occasionally to ensure the plants are safe and working efficiently. As such there is no conflict with 155(c).

Paragraph 155(d) - Whether the 'Golden Rules' apply to applications RB2024/0063 & RB2024/0321.

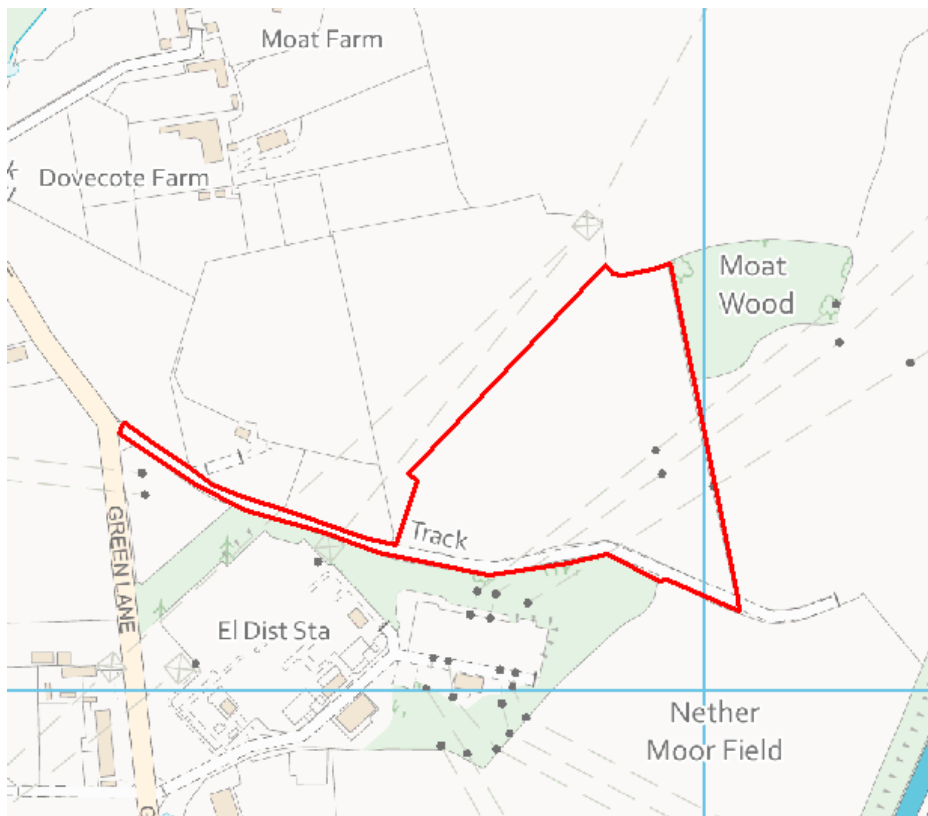
The 'Golden Rules' do not apply in this case since they address major housing developments (developments of 10 or more dwellings).

Implications for the Council's grounds for refusal at Appeal for RB2024/0063 & RB2024/0321.

The assessment above concludes that both developments are on Grey Belt land and represent not inappropriate development within the Green Belt. With this in mind, the Council's first reason for refusal on both applications no longer stands and the Council would not be able to defend such a reason for refusal as part of the appeal process. It is, therefore, recommended that the first reason for refusal on both applications be withdrawn and that the Council accepts that the scheme represents not inappropriate development within the Green Belt under the revised NPPF.

The Council still intends to defend the highway reason for refusal on both applications at Appeal.

RB2024/0063



RB2024/0321

