

Planning Department,
Mid Sussex District Council,
Oaklands, Oaklands Road,
Haywards Heath,
West Sussex,
RH16 1SS.

6 August 2026

FOA: The Planning Officer. (Andy Watt)

Dear Mr. Watt,

FORMAL REPRESENTATION - OBJECTION - Application DM/26/1671

Non-Material amendment to DM/21/2276 Land to the East of Wineham Lane, Battery Energy Storage System.

Having reviewed the latest documentation, we write to **object** to Elements Green Limited's application under s.96A of the Town and Country Planning Act 1990 (TCPA) for a "Non-Material" amendment to the original application DM/21/2276 which was granted permission on 5 September 2024.

The reason for our objection is that the proposal in DM/26/1671 appears to include "significant" and "substantial" modifications, not warranted by a "non-material" amendment. Many elements of the original application have been altered, including: the company, significant technological advancements, and consequent changes in the number of BESS and site layout, a proposed new acoustic fence, emergency access, fire, and associated water storage arrangements.

Just because the number of BESS have been reduced in the amended proposals, this does not mean that the impact of these amendments have reduced. Indeed, it is hard to assess the impact of the supposed "non-material" changes, as little detail has been shared by Elements Green on items such as the noise, lighting, fire safety, the acoustic fence and the negative impact on the rural character of the area.

Whether something is judged to be a "material consideration" depends on its context. In this context we would argue the amendments are material, as they have not undergone scrutiny, there has been no rigorous testing, questioning, or judgement applied to the changes.

Indeed, what evidence is there to say that the original application DM/21/2276 was not environmentally damaging? There was widespread local objection to the original application on the grounds of safety and damage to the rural character and environment of the area, to

cite just a few points. A similar scheme was turned down by Horsham District Council in Kent Street in 2024, as it was viewed as unsuitable for the area. Surely, the same thought process should now prevail just the other side of Horsham and Mid Sussex District Council boundaries? With greater knowledge of the impact of BESS and necessity of increased fire regulations/water storage facilities etc., these amendments should be reviewed afresh, not as “non-material” elements.

2 years is a long time in the field of BESS, and as we are told, there have been significant technological advancements, meaning that the type and nature of the new BESS units, the spacing, noise levels, light pollution, acoustic fence and fire water supply have all been changed. The emergency access road is also close to the main site entrance, which may hinder or prevent access in the event of a fire. None of this has been reevaluated in the light of the proposed amendments.

Fire safety is a major concern. We understand that the “National Fire Chiefs Guidance 2026” has updated the position, and that Elements Green have committed to retrospective compliance. However, we have no reassurance that West Sussex Fire and Rescue Service have concluded their fire safety strategy, and as such the changes to the development and use of the site should be assessed fully against this guidance before a final decision is made.

This year again has broken records for hot weather; we are told this is what we should expect in the future. Hence, placing potentially volatile BESS in a residential area, opposite wooden structures in the Country Park, surrounded by tinder dry grass, hedges and trees would seem irresponsible. It would take time for “specialist” fire crews to attend the scene, water pressure is poor and chemical fires do not respond well to water, and we do not know if sufficient water will be available on site.

We also need to understand whether the amended application would impact on our house insurance, or whether homeowners would be covered by their insurance in the event of a BESS in the local area.

What we have learnt in the last two years is that battery fires are becoming increasingly common, sometimes with devastating consequences. Electric cars and scooters, solar panels etc... are all demonstrating the volatility of electric batteries and their propensity to ignite. The size and scale of the proposed BESS would present a significant risk to locals if fire did break out, compared to items in domestic use. A BESS fire in the current summer would be unstoppable. We have already witnessed how the wildfires have ravaged the Cairngorms, parts of Wales and some of the Suffolk coast in recent weeks. These fires are not easily brought under control, and yet they are not chemical fires which present more complex problems.

It should also be noted that the lanes are highly unsuitable to accommodate the size, and quantity of fire engines and associated equipment, which may be required. In Toulouse around 70 fire engines attended a battery fire. Over the intervening period since the original

application, on a regular basis one questions, how large numbers of fire engines can safely and effectively, navigate small rural lanes alongside local rural traffic. How can this be reconciled with any new guidance?

We request that Mid Sussex District Council does **not** approve application DM/26/1671 as a “non-material” amendment, for the reasons set out above. A smaller number of BESS does not mean that the impact is less, it could be far greater. This has yet to be rigorously analysed.

Yours sincerely,

