

From: [REDACTED]
Sent: 12 August 2026 13:00
To: planninginfo; Arran Rowsell
Subject: DM/26/1671

Dear Case Officer

OBJECTION Application DM/26/1671 - Non-material amendment to DM/21/2276 - Land east of Wineham Lane – Battery Energy Storage Facility

I wish to object to this application being approved under the Section 96A non-material amendment procedure. Having reviewed the covering letter, revised site plan and Statement of Compliance, I do not consider the full package of changes has been shown to be genuinely non-material.

The applicant proposes to: reduce the BESS units from 184 to 92 using a different supplier and technology; reduce power conversion systems from 46 to 23; set unit spacing at approximately 0.92m which is closer than previously identified; alter the internal emergency access route and hardstanding; increase fire-water tanks from one to two; change the transformer/ancillary layout; replace large ancillary buildings with container-sized units; and replace the approved perimeter treatment with a new acoustic fence.

1. This is not one minor alteration but a combined package covering technology, unit numbers, spacing, access, water provision, equipment layout and a new acoustic fence. The number of unresolved technical questions below is itself evidence that a fuller assessment is needed, and Section 96A, with no general consultation requirement, is the wrong mechanism.
2. The acoustic fence is a new and un-assessed feature. This is a new physical structure in open countryside, not a drawing correction. No elevations, dimensions, materials or verified viewpoints have been provided. Its introduction alongside claims of "no noise increase" needs explaining, for example, does the new equipment have different noise characteristics? A revised equipment-specific noise assessment and updated Landscape and Visual Impact Assessment should be required before this can be treated as non-material.
3. Current NFCC guidance is relevant but ignored. The NFCC's revised guidance on grid-scale BESS is more detailed on thermal propagation, separation distances, access, firefighting water and emergency planning than the 2023 version relied on for the original consent. Since the applicant relies on this guidance to justify the proposed spacing, the whole amended design, technology, spacing, access and water should be assessed against the revised guidance, with formal written sign-off from West Sussex Fire and Rescue Service before determination.
4. Halving the unit count while keeping total capacity the same means substantially more energy per unit. No manufacturer, chemistry, capacity or fire-testing evidence (e.g. UL 9540A) has been provided and assessments for the originally approved equipment cannot simply be assumed to still apply.
5. NFCC guidance allows reduced separation (~0.914m) only where equipment-specific full-scale testing demonstrates no propagation between units. No such manufacturer-specific evidence has been submitted.
6. The covering letter refers to "ongoing discussions" with the Fire and Rescue Service, suggesting the strategy is not yet finalised. Approval should not precede a completed, equipment-specific fire strategy and emergency response plan.

7. No updated tank capacities, flow rates, locations, or contaminated run-off containment details have been given, despite NFCC benchmarks (e.g. ~180,000 litres static supply where 25 l/s cannot be achieved) being directly relevant.
8. Claiming the route is "more direct" does not establish it is dimensioned, load bearing, available always, or legally secured for appliance access, turning, and withdrawal. NFCC guidance favours an alternative/secondary access accounting for wind direction, and this needs a site-specific assessment, not an assumption.
9. No revised lighting scheme, lux contours or fitting details have been submitted, despite Policy DP29 and NPPF paragraph 198(c) requiring artificial lighting impacts on this dark rural landscape to be minimised. Any lighting should be minimum-necessary, shielded, low-level and controlled and not left unaddressed by this amendment.

In conclusion, it is impossible to argue that the changes are non-material. Collectively the cumulative changes have potentially significant structural, safety, noise, visual and lighting consequences that have not been adequately evidenced. I ask that Mid Sussex District Council does not approve DM/26/1671 as a non-material amendment, and instead requires the applicant to pursue a procedure that allows proper technical assessment and public consultation.

Please record this email as an objection.

Yours faithfully

[REDACTED]

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Sent from Outlook for Mac