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Planning application for proposed vehicular access track from an existing access off Pot Lane, with associated landscape, ecology and ancillary works

Stantec have been instructed by Integrum SPV 23101 Limited c/o Enray Power Ltd (the 'Applicant') in support of a planning application to Somerset District Council as Local Planning Authority (the 'Council') for a proposed vehicular access at land off Pot Lane, Frome (the 'Site').

1. Background

The applicant seeks planning permission for a proposed construction of a vehicular access track from an existing access off Pot Lane, with associated landscape, ecology and ancillary works, from Pot Lane, Frome. The proposed access will connect a future BESS site to the local highway network and provide access for operational vehicles.

The adjacent field located to the south-west of the application Site was subject to an application for the construction, operation & decommissioning of a Battery Energy Storage System with vehicular access, internal access tracks, landscaping, boundary treatment, cabling & associated works & infrastructure, planning reference 2025/0690/FUL. The proposal was submitted on 08 April 2025.

On 17 April 2026, the application was refused on highways grounds however the Officer's Report confirms that if the highways objections were overcome then the application would have been in accordance with planning policy and recommended for approval.

An appeal against refusal of the BESS application will be submitted. This application is submitted as an alternative operational-access solution and without prejudice to the Applicant's subsequent case in the main BESS appeal.

This application seeks planning permission for engineering operations associated with the construction of a new access leading from Pot Lane. The proposed access will connect the BESS site to the local highway network and provide access for operational vehicles into the BESS site.

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This application is accompanied by the following plans and documents:

Plan / Document	Reference
Site Location Plan	Ver 0.2
Proposed Layout Plan	Ver 0.2
Proposed Detailed Layout Plan	Ver 0.2
Proposed Layout Overlay Plan	Ver 0.2
Proposed Access Track Section Plan	Ver 0.2
Preliminary Ecological Appraisal	Ver 2
Biodiversity Net Gain Metric	N/A
Highway Technical Note	TN02

2. The Site

The Site forms part of a single agricultural field demarcated by hedgerows, located north-east of the town of Frome, approximately 2.85km from its centre. The local area is predominantly rural in character, comprising open agricultural fields and scattered farmsteads across the landscape. Larger nearby land uses include Frome Agricultural Centre, the Standerwick Car Boot Site, and the BioFactory. Nearby residential development is limited, consisting mainly of small settlements and isolated dwellings dispersed throughout the surrounding countryside.

3. Proposed Development

The applicant is seeking permission for the following proposed development:

“Construction of a vehicular access track from an existing access off Pot Lane, with associated landscape, ecology and ancillary works”

Development is for the construction of a vehicular access track leading from the existing access at Pot Lane across a single agricultural field to an existing agricultural gate separating the two fields. The proposed construction is for a two-tyre track road, approximately 225 metres in length and surfaced with a compacted type 3 sub base. The access track runs parallel to the southern field boundary. The grassland adjacent to the track has been retained and enhanced to provide ecological improvements, while the permeable surfacing allows for effective rainwater runoff and drainage. The proposed track improves Site accessibility through an additional access point for the Battery Energy Storage System Site.

The access track would address the identified operational access constraint and facilitate the safe operation of low-carbon energy infrastructure contributing to the transition to net zero, while the planning merits of the BESS remain to be determined separately. -

4. Policy

The National Planning Policy Framework (“NPPF”) was published on 12 December 2024 and amended on 7 February 2025. The NPPF is a material consideration in the determination of planning applications and appeals. The following chapters are relevant to the proposed development:

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- Chapter 2 - Achieving sustainable development;
- Chapter 6 - Building a strong, competitive economy;
- Chapter 9 - Promoting sustainable transport;
- Chapter 12 – Achieving well-designed places;
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change;
- Chapter 15 - Conserving and enhancing the natural environment.

Paragraph 115 of the NPPF requires safe and suitable access to be achieved for all users and any significant effects on the transport network or highway safety to be mitigated to an acceptable degree.

Paragraph 116 states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe.

Paragraph 168 requires significant weight to be given to the benefits of renewable and low-carbon energy development and its associated infrastructure. The proposed access track would provide the operational access required to support the adjacent Battery Energy Storage System.

The adopted development plan for the former Mendip District Council area comprises;

- Mendip Local Plan Part I: Strategy and Policies 2006–2029, adopted December 2014;
- Mendip Local Plan Part II: Sites and Policies 2006–2029, adopted December 2021, as amended following judicial review; and
- Mendip Local Plan Part II Limited Update Site Allocations, adopted September 2025.

The following adopted policies are relevant to the proposed development:

- CP1 – Mendip Settlement Strategy;
- CP4 – Sustaining Rural Communities;
- DP1 – Local Identity and Distinctiveness;
- DP4 – Mendip's Landscapes;
- DP5 – Biodiversity and Ecological Networks;
- DP6 – Bat Protection;
- DP7 – Design and Amenity of New Development;
- DP8 – Environmental Protection;
- DP9 – Transport Impact of New Development.
- DP23 – Managing Flood Risk.

Mendip District Council was replaced by Somerset Council, a unitary authority covering the former Somerset district council areas, on 1 April 2023.

Somerset Council has commenced preparation of the Somerset Local Plan 2045. A Regulation 20 scoping consultation took place between 19 June and 24 July 2026. This was an early consultation concerning the proposed scope, vision and spatial strategy options for the new Local Plan and did not contain draft development management policies. Accordingly, the emerging Local Plan does not currently carry material weight in determining this application, and the adopted development plan documents identified above remain the relevant development plan.

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5. Assessment

Principle of Development

This standalone application seeks planning permission for a vehicular access track from an existing access off Pot Lane. The track is intended to serve the operation and maintenance of the proposed Battery Energy Storage System ("BESS"), should that development obtain planning permission through the separate appeal process.

National and Local Policy clearly identifies the significant benefits of renewable energy infrastructure including the storage of electricity once it is generated. Paragraph 168 of the NPPF states "When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should, not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future".

The development plan supports renewable and low-carbon energy development where it can be delivered without unacceptable environmental, amenity or highway effects. In its assessment of application 2025/0690/FUL, the case officer acknowledged the significant benefits of the proposed BESS and found the proposal acceptable in relation to ecology, landscape and residential amenity, subject to appropriate conditions.

In determining the BESS application, the officer concluded that the development would have *"limited impact in respect to ecology, landscaping and neighbour amenity subject to the provision of conditions"*. However, the application was refused on highways grounds.

Despite the BESS application being refused, the officer concluded that *"had there been means to overcoming these objections, then officers would have considered the application to be in accordance with planning policy and would have otherwise recommended approval"*.

The proposed Pot Lane access responds specifically to concerns relating to operational and maintenance access and the use of roads affected by Traffic Regulation Orders. It is not proposed as a construction access and is not relied upon as resolving every highway matter forming part of the separate BESS appeal.

The access proposal should therefore be assessed on its own planning merits, while giving appropriate weight to its intended operational relationship with the BESS and the benefits that the BESS would deliver if the separate appeal is allowed.

Highways

Alongside this Planning Statement a Transport Note [TN02] has been submitted which should be read in conjunction with it. It demonstrates the proposed vehicular access is suitable to provide access to the BESS site in terms of highway safety for the operation and maintenance traffic.

TN02 considers the characteristics of the surrounding highway network, the existing traffic flows and speeds, the anticipated vehicle type and frequency, and the proposed routes to the access. It concludes that the access is suitable for the very low level of operational traffic anticipated.

A vehicular access point is proposed from Pot Lane, leading through an agricultural field to the northern boundary of the BESS site. This access will serve operational traffic associated with the maintenance

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and management of the facility throughout its operational lifespan. The proposed access connects with the local highway network avoiding roads which are restricted by the Traffic Regulation Order. An existing gated agricultural access will be utilised.

Maintenance access to the Site is only required on around a monthly basis resulting in around 10-20 two-way movements over a year. Traffic surveys undertaken for TN02 recorded a maximum flow of approximately two vehicles during any surveyed hour and 85th-percentile speeds below 20 mph at the nearest survey location. TN02 also records no personal-injury collisions within the study area during the five-year period from 2020 to 2024. Although visibility at the access is constrained, TN02 concludes that it is appropriate for the proposed low-frequency use in the context of the very low traffic flows and vehicle speeds.

The access provides a passage for operational vehicles accessing the Site. It is engineered in accordance with suitable capacity for the Site's use and number of employees required to operate the BESS site. Appropriate provision has been made to integrate the track into the landscape so that no adverse visual or environmental impacts. The access track runs parallel to a mature hedgerow providing screening from aspect to the east by following the boundary of the field pattern. In terms of drainage, rainwater runoff will be managed effectively dispersed into the field, supported by additional planting of grassland.

Having regard to the very low frequency of operational vehicle movements, the type of vehicles anticipated and the existing traffic conditions, TN02 concludes that the proposal would not give rise to an unacceptable impact on highway safety or severe residual cumulative highway effects. The proposal therefore accords with Policy DP9 of the Mendip Local Plan and Chapter 9 of the NPPF.

The proposed Pot Lane track responds specifically to the operational-access issue identified during consideration of the BESS application. It is not proposed as the BESS construction access, which remains a matter for the separate appeal.

Ecology

A Preliminary Ecological Survey and BNG Metric accompanies the application which concludes, there will be no adverse ecological impacts associated with the development of the access track and an on-site habitat uplift of 29.49% will be achieved.

The Preliminary Ecological Survey considers the impact to appropriate species, including bat, bird, mammals and invertebrate concluding no significant ecological constraints have been identified in relation to the proposed construction of the access and the loss of habitats can be suitably mitigated through the enhancement of grassland.

Further in terms of the loss of habitat, the Site is considered to be of low intrinsic ecological value at the local level in terms of habitats. The habitats present are not considered to meet the relevant criteria to qualify as priority habitats.

The proposal accords with Policy DP5 of the Mendip Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Conclusion

This application seeks full planning permission for the construction of a vehicular access track from an existing access off Pot Lane, with associated landscape, ecology and ancillary works. The track layout

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has been designed to accommodate the operational requirements of the BESS scheme, whilst mitigating visual and environmental impacts from the surrounding countryside. It will be implemented should the appeal against refusal of planning application 2025/0690/FUL be successful.

The submitted technical evidence demonstrates that the existing Pot Lane access and proposed track are suitable for the very low level of operational traffic anticipated. Subject to the mitigation and enhancement measures identified in the ecological documents, the proposal would not give rise to significant adverse highway, landscape or ecological effects and would deliver biodiversity net gain.

We trust that the submitted application provides the necessary information to enable a positive determination. Should you require any further details or clarification, please do not hesitate to contact us.

Best regards,

Stantec UK Limited

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