

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

Date 19th September 2024

Application No:	SMD/2024/0019	
Location	Land at Newfields Farm, Rownall Road, Wetley Rocks, Staffordshire, ST9 0BS	
Proposal	Development of a Battery Energy Storage System (BESS) with ancillary infrastructure, security fence, access, landscaping and biodiversity enhancements, to provide balancing services to the local electricity grid	
Applicant	Newfields BESS Limited	
Agent	Mr Arthur Griffiths, Pegasus Group	
Parish/ward	Cheddleton	Date registered 22 nd January 2024
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com		

REFERRAL

The application is major planning application and the Committee have considered similar proposals within the area.

1. SUMMARY OF RECOMMENDATION

Approve, subject to legal agreement and conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site relates to a single agricultural field which extends to 2.48ha in area. The site is located within the open countryside and within the Green Belt, as defined by the Local Plan Policies Map.

2.2 The site is generally open with a slight change in land levels, dropping from southeast to northwest. The northern, eastern and western boundaries generally comprise mature landscaping of hedgerows and/or trees, while the southern boundary is more open. Beyond the northern and eastern boundaries is the large complex of the Cellarhead substation. Beyond the southern boundary are the buildings associated with Newfields Farm. Fields are located beyond the western boundary. Overhead powerlines and pylons cross the surrounding landscape.

2.3 The site is accessed via a track from Rownall Road to the east. The existing track serves both the Newfields Farm and the Cellarhead substation. PROW Cheddleton 48 runs adjacent to the northern and eastern boundaries, along the eastern boundary the footpath falls within the site. PROW Cheddleton 60 runs along the access track and adjacent to the southern boundary of the field.

2.4 Drainage ditches are located adjacent to the northern and western boundaries of the site. The site lies within Flood Zone 1. The site does not include any designated heritage assets including Listed Buildings, Conservation Areas or Scheduled Ancient Monuments. There are no designated wildlife sites within the red edge. The nearest site is the Wetley Moor SSSI, located circa 700m to the west. The site does not fall within a designated landscape. The Council's Landscape and Settlement Character Appraisal identifies that the site is located within the 'Ancient Plateau Farmlands' area.

2.5 The site lies approximately 1.1km to the north of Werrington and 2km to the west of Wetley Rocks. The surrounding landscape is generally open and pastoral with a gently undulating topography, with informal field pattern, scattered farmsteads and dwellings. The landscape is crossed by a network of public right of ways. However, the Cellarhead substation, which lies adjacent to the site, is a large complex which is a dominant feature within the immediate area. Overhead powerlines leading to/from the substation are also prominent on the landscape.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application which seeks consent for the construction of a Battery Energy Storage System (BESS) facility, associated infrastructure and landscaping.

3.2 The scheme proposes a facility which would include 14 sets of battery energy storage racks. Adjacent to each storage rack would be an inverter and transformer. These would have a maximum length of 9m, a width of 2m and maximum height of 3.75m. A substation is also proposed which would be housed in its own compound with equipment measuring up to 6.5m in height.

3.3 Additional structures on site would include a control building (5.6m(l) x 4.7m(w) x 3.6m(h)); storage container (3m(l) x 2.1m(w) x 2m(h)); customer storage container (12.1m(l) x 2.4m(w) x 2.6m(h)); auxiliary transformer (2.7m(l) x 2.4m(w) x 2.4m(h)); customer switchgear building (14m(l) x 3.3m(w) x 3.6m(h)); and, customer control building (5.8m(l) x 3.9m(w) x 3.6m(h)).

3.4 Additional installations include palisade and weldmesh fences and gates measuring 2.4m in height, acoustic fencing measuring 4m in height, CCTV columns, at 5m in height, and 3m high lighting columns. The site would connect to the Cellarhead substation via an underground cable to the north.

3.5 The site would be accessed from Rownall Road via the existing track. A new access road from the Newfields Farm yard would also be provided. This would lead into the site with a perimeter track providing circulation through and around the complex. Two points of access would be provided into the battery storage compound, and two to the on-site substation compounds.

3.6 A bund is proposed along the western edge of the compound in its entirety and would partially wrap around the northern and southern edges of the site. The bund would have a height which would vary in the region of 2 – 3.5m above

existing and proposed ground levels, and would be constructed from materials used in the levelling of the site via cut and fill.

3.7 Landscaping of the site would include broadleaf woodland on and around the screening bund, scrub planting and the enhancement of existing pasture with meadow seeding. A new hedgerow, adjacent to PROW Cheddleton 48, along the eastern boundary of the site is also proposed. Existing landscape features would be retained. The proposed landscaping also forms part of the biodiversity enhancements for the site.

3.8 The proposed BESS facility would have a storage capacity of 99.9MW. The facility would provide for flexibility in the energy, allowing for electricity to be taken from the grid when there is a surplus and stored. Energy is then released back onto the grid when it is needed. This flexible system helps to balance energy demand and generation.

3.9 The operational period of the BESS facility will be 40 years. At the end of this period, the site will be decommissioned. All structures and hard surfacing will be removed, and the land could be returned to agricultural use.

3.10 The application has been supported by detailed plans, and the following documents:

- Planning Statement
- Arboricultural Impact Assessment
- Built Heritage and Archaeological Assessment
- Consultation Statement
- Ecological Walkover and Assessment Note
- Flood Risk and Surface Water Drainage Assessment
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Outline Battery Safety Management Plan
- Geotechnical Report
- Transport and Access Statement
- Preliminary Ecological Appraisal
- DEFRA Metric for Biodiversity Net Gain

3.11 During the course of the application, the proposals have been amended to address comments raised by Staffordshire Fire and Rescue Authority, amending access arrangements. An amended layout has therefore been provided. Plans have also been amended to address minor inconsistencies. In addition, following consultation responses, the following updated documents have been received:

- Updated Noise Impact Assessment
- Bat Tree Assessment
- Letter from Landowner regarding occupation of dwelling

3.12 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

[Planning Applications - Staffordshire Moorlands District Council \(staffsmoorlands.gov.uk\)](https://staffsmoorlands.gov.uk)

4. RELEVANT PLANNING HISTORY

4.1 The following is a summary of the relevant planning applications relating to the site.

SMD/2022/0180 - Development of a Battery Energy Storage System (BESS) with ancillary infrastructure, security fence, access, landscaping and biodiversity enhancements, to provide balancing services to the local electricity grid – Withdrawn – 06/12/2022

SMD/2023/0318 - Request a Screening Opinion in relation to a Battery Energy Storage System on land at Newfields Farm, Rownall Road – Not EIA Development – 31/05/2024

4.2 Other applications of relevance in the wider area:

Land Adjacent to Cellarhead Substation

SMD/2022/0548 – Erection and operation of a Battery Energy Storage System and associated infrastructure and equipment – Approved – 27/06/2023

Land East of Cellarhead Substation, and West of Rownall Road, Wetley Rocks, Staffordshire

SMD/2022/0444 – Erection of a Flexible Energy Facility – Approved – 22/12/22

Land Adjacent to Armshead Farm, Armshead Road

SMD/2022/0574 – Erection of storage containers, support infrastructure and security fencing for battery energy storage facility along with landscaping and all associated works – Refused – 26/06/2023. Appeal in Progress

Land South of Cellarhead Substation and West of Rownall Road

SMD/2024/0055 - Erection of a Flexible Energy Facility, associated works, landscaping and habitat creation – Under Consideration

Land At Rownall Farm, Rownall Road, Wetley Rocks

SMD/2023/0523 - Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99MW including mounting system, underground cabling, stock proof fence, CCTV, internal tracks and associated

infrastructure, landscaping, biodiversity net gain and environmental enhancements for a temporary period of 40 years – Under Consideration

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 - Development Principles
SS2 – Settlement Hierarchy
SS10 – Other Rural Areas Strategy
SD1 – Sustainable Use of Resources
SD2 – Renewable/Low Carbon Energy
SD3 – Sustainability measures in development
SD4 - Pollution and Water Quality
SD5 – Flood Risk
DC1 – Design Considerations
DC2 – The Historic Environment
DC3 – Landscape and Settlement Setting
C3 – Green Infrastructure
NE1 - Biodiversity and Geological Resources
NE2 – Trees, Woodlands and Hedgerows
T1 - Development and Sustainable Transport
T2 – Other Sustainable Transport Measures

National Planning Policy Framework 2023

Section 2: Achieving sustainable development
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making Effective use of land
Section 12: Achieving Well-designed Places
Section 13: Protecting Green Belt land
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

Draft National Planning Policy Framework 2024 (Consultation version)

Other National Policy

National Policy Statement for Energy (EN-1)
National Policy Statement for Renewable Energy Infrastructure (EN-3)

Other Material Considerations

Proposals regarding the Planning System for Electricity Storage (July 2020)
Energy White Paper: Powering our Net Zero Future (December 2020)
Industrial Decarbonisation Strategy (March 2021)
The Carbon Budget Order (June 2021)

Transitioning to a Net Zero Energy System: Smart Systems and Flexibility Plan (July 2021)
 National Grid Future Energy Scenarios 2024
 Sixth Assessment Report, IPCC (August 2021)
 Net Zero Strategy: Build Back Greener (October 2021)
 British Energy Security Strategy (April 2022)

6. CONSULTATIONS CARRIED OUT

Site notice	Expired
Neighbour letters	Expired
Press notice	Expired

Public Comments:

111 representations of objection received. The comments can be summarised as:

- Cumulative effect. 7 applications in area, two of which approved;
- Result in unwanted industrial area in Green Belt;
- Impact on rural economy, loss of agricultural land;
- Impact on Churnet valley Masterplan area, which is close to site;
- Cumulative damage to landscape;
- Risk of noise, fire, explosion;
- Impact on residents during construction/operation;
- Traffic chaos from HGV's;
- Just as damaging as refused Armshead Farm development;
- Should be near wind turbine developments in more rural sparsely populated areas;
- All stems from first approval which was contrary to officer recommendation;
- Impact on aquifers and water table;
- Waste of good agricultural land, which is a finite resource;
- Loss of/erosion of Green Belt – Inappropriate development
- Unsightly outlook;
- Solar not as efficient as wind;
- Not sustainable energy;
- Industrialisation of countryside;
- Massive profit business in Green Belt;
- Will not reduce nations energy bills;
- No consideration of cumulative effects, loss of 250acres;
- Loss of living conditions;
- Batteries can catch fire;
- No report from Fire & Rescue service;
- Effect on walkers
- Effect on mental health and wellbeing;
- Effect on wildlife and local ecology;
- Doesn't safeguard countryside from encroachment (contrary to GB policy);
- Incongruous design and materials;
- Fire at site in Liverpool, incidents elsewhere across globe;

- Energy is just sold to highest bidder;
- Extra traffic due to high service and maintenance requirements;
- Containers and fencing would have negative effect on landscape;
- Visible from surrounding area/eyesore;
- Against national and local planning policies;
- Disproportionate scale;
- Consequential effects on tourism and heritage sites;
- Noise, resulting in disturbed enjoyment of rural property;
- Avoids SoS scrutiny by making multiple applications;
- Will attract crime;
- Light pollution;
- Explosion risk and toxic fumes/runoff;
- HGV's on dangerous narrow country lanes, effect cyclists, horse riders and school children;
- Close to residential area;
- Plans do not meet regulations for such development;
- Unacceptable risk to local community including businesses and residents;
- Did not receive consultation indicated in Consultation Statement;
- Close to Wetley Moor SSSI, long term impact on wildlife;
- Weak argument to say needs to be near power station, other sites no where near these facilities;
- Effect on ground nesting birds;
- Irreplaceable damage to environment;
- Solar panels should be on buildings/brownfield land;
- How will development be disposed of at end of life;
- Will become brownfield site;
- NPPF says brownfield first;
- Road infrastructure unsuitable;
- Loss of trees and hedgerows;
- Emergency services will struggle to get to site;
- People will drive further to get to green spaces;
- Green spaces are finite;
- Will not be able to insure homes and effect on house prices;
- Pollution of water;
- Biodiversity needs to be like for like;
- Landscaping would not screen development;
- Human Rights;
- Requires EIA;
- Impact on food security.

2 representations of support received. The comments can be summarised as:

- Storage important to make best use of renewable energy
- Makes engineering sense to be close to solar

Consultation Responses

A summary of the consultation responses received are provided below.

Cheddleton Parish Council

Strong Objection as in the greenbelt and there is only one site access which the Fire Services have identified as a safety issue especially that it is a long track to the site.

Bagnall Parish Council (initial response summarised)

STRONG OBJECTION.

Bagnall Parish Council has not been formally consulted regarding this application however several Parishioners living close to the site and with very real concerns have drawn the application to our attention.

We note that the “Consultation” with the Fire Service amounted to no more than a telephone conversation.

In relation to the above we make the observation that the design does not follow the recommendations contained in the NFCC document. For instance, taking just one aspect, spacing between battery packs is measured at three metres on the submitted site plan rather than the suggested six metres set out in the NFCC document.

We take the view that this statement is somewhat disingenuous (*regarding two points of access to the site*). There is only one main access to the site and we note that an internal road runs round the east side of the battery packs which in our opinion does not constitute a “perimeter road” as recommended in the NFCC document. The passing place is outside the site and we suggest has little if any bearing on firefighting on site

We note the following observation from the Fire Brigade report following the Liverpool BESS fire :- “Although there was a fire suppression system in the container , the speed of propagation indicated that this hadn’t activated. It was thought that activation would have had little or no effect on the resultant fire/explosion.”

Ex Government Minister Maria Miller in September 2022 stated:- “The only way to stop a battery fire is to cool it down with a constant stream of water and wait for the fire to go out, which might take days, creating huge quantities of water containing highly corrosive hydrofluoric acid and copper oxide- by-products of battery fires”

We note that the recommended guideline for volume of available water and pressure at the hydrant supply is not stated and is not guaranteed by STWA.

We note the initial response from Staffordshire Fire and Rescue attached to the planning documentation

From the documentation attached to the application it would appear that the detailed review by Staffordshire Fire and Rescue has not yet taken place/ been received by SMDC. In view of the clear deviation of the submitted application from the NFCC guidelines Bagnall Parish Council consider that it would be inappropriate for the application to be considered further until such time as the consultation/ review of the proposed development has been completed by Staffordshire Fire and Rescue.

Bagnall Parish Council (Second response)

Bagnall Parish Council notes a recent Planning Appeal Decision relating to a similar sized rural site ref APP/U1105/W/23/3319803. We note that the appeal was dismissed.

Whereas the Newfields Farm application is stated to be around 6 acres the appeal site, Pound Road BESS, is slightly smaller at five acres. There are however many other similarities.

We have attached a screen shot of the British Geological Survey map with the hydrogeological borehole layer shown. We have highlighted nearby water abstraction boreholes with an orange arrow. We consider that paragraphs 53 to 55 in the appeal decision document are particularly relevant. We consider that a pollution risk is a strong possibility should a fire occur at the Newfields Farm site. Bagnall Parish Council have already raised our concerns regarding fire risk and explosion in the earlier submission however we consider that these are amplified in the appeal decision document and in particular we would ask the reader to note paragraphs 56 to 84.

We also note that in addition to the similar size of the sites the agriculture land classification is broadly the same, both are in rural areas and in the case of the Newfields site it is within the North Staffordshire Green Belt, and in both cases the claimed necessity to store energy at the particular site/ location is we feel tenuous.

The appeal document makes a strong case that the land will not be adequately restored after the BESS site is of no further use. We do consider that this is of significant relevance to the Newfields Farm site application.

Bagnall Parish Council (Third Response)

Further to our two previous submissions further advice has been provided in the interim which the Parish Council consider is particularly relevant to this case.

Bagnall Parish Council notes the content of recent correspondence from the RT Hon Karen Bradley MP who states “...only last week I joined Sir Gavin Williamson Staffordshire Fire and Rescue Service HQ in order to discuss applications in South Staffordshire with the Chief Fire Officer.

At that meeting the Chief Fire Officer, Rob Barber, provided me with considerable reassurance that Fire and Rescue Services across the country feel that they can manage fires, should they rise, on these sites providing the sites are appropriately

designed to permit access from a suitable number of points by the service and there is hard standing for the appliances to work from and appropriate means for controlling water run off amongst other requirements.”

Bagnall Parish Council particularly notes the observation that where the design of the battery installation complies with the guidance note the fire service is confident that they can manage a fire. It must therefore be the case that where the installation does not adhere to the guidance contained in the NFCC November 2022 document, such as that shown in the proposals for the BESS site adjacent to Newfields Farm, the fire service is consequently unable to manage a fire with any safe degree of certainty.

From the documentation attached to the application it would appear that a detailed review of the submission by Staffordshire Fire and Rescue has still not taken place. In view of the clear deviation of the submitted application from the NFCC guidelines Bagnall Parish Council consider that it would be inappropriate for the application to be granted.

Bagnall Parish Council (Fourth Response)

Bagnall Parish Council submits further documentation to support our OBJECTION to the proposed BESS development at Newfields Farm.

We are in receipt of an email from Mr Ben Adams, the Police Fire and Crime Commissioner, regarding the application SMD/2024/0019 - Site Address: Land at Newfields Farm, Rownall Road, Wetley Rocks, Staffordshire. ST9 0B. It will be noted that Staffordshire Fire and Rescue confirm that the application deviates away from the NFCC guidance. (Our emphasis).

In a separate email from the Rt Hon Karen Bradley it is stated “..that Fire and Rescue services across the country feel that they can manage fires, should they rise, on these sites providing the sites are appropriately designed to permit access from a suitable number of points by the service and there is hard standing for the appliances to work from and appropriate means for controlling water run off amongst other requirements”.

On the basis of the above Bagnall Parish Council submits that the proposal, as set out in the application, presents a significant risk to the health and safety of Moorlands residents and as a consequence it must be dismissed.

Dear Andrew, having asked Staffordshire Fire & Rescue for their thoughts they indicate that this application appears to deviate away from the National Fire Chiefs Council guidance in some areas. Clearly it would be better for the guidance to be complied with in its entirety if possible.

As you are aware Staffordshire FARS are not in a position to insist however I would suggest that it would be in the best interests of all parties if the guidance is followed and not deviated from. They can only recommend to the planners that the developer follows NFCC guidance.

It is for the council’s planning team to make a decision on all aspects of replies from various interested parties.


I assume your district councillor/s is engaged and your concerns have been raised directly with the planning officers.

Regards, Ben.

Ben Adams - Staffordshire Commissioner for Police, Fire & Rescue and Crime

Bagnall Parish Council (Fifth Response)

Contains letter from Department for Levelling Up, Housing and Communities to Rt Hon Dame Karen Bradley (dated 3rd June 2024):



**Department for Levelling Up,
Housing & Communities**

*Department for Levelling Up, Housing and
Communities*
2 Marsham Street
London
SW1P 4DF

Your reference: KB49881
Our reference: PO2024/08331

Rt Hon Dame Karen Bradley

By email 3 June 2024

Dear Rt Hon Dame Karen Bradley,

Thank you for your email of 28 March to the Rt Hon Michael Gove on behalf of your constituent, Cllr Andrew Batson of 4 The Cottages, The Green, Bagnall, Staffordshire, Moorlands, ST9 9JR, regarding Bagnall Parish Council's concerns about fire safety at a proposed battery energy storage facility. I am replying on behalf of the Department.

As I hope you can understand, due to the quasi-judicial role that Ministers play in the planning process, I am unable to comment on any specific planning application. However, I can provide the following general comments, which I hope will be helpful.

This Government has put in place a regulatory framework for grid-scale battery storage which is kept under review to respond to changing circumstances. Following a recent review, the Government, through the Department for the Environment, Food and Rural Affairs (DEFRA), committed to consult on including battery storage systems under the environmental permitting regulations. This Government also committed to consulting on adding Battery Energy Storage System (BESS) into the Environmental Permitting Regulations (England and Wales) 2016 (EPRs). I note Cllr Batson's urgency for action to be taken in this area, and I hope he will appreciate that, owing to the upcoming general election, I am unable to elaborate on potential next steps. It will be for the next Government to make any future policy decisions.

This Government has been working with the industry-led Storage Health and Safety Governance Group, whose members include the National Fire Chiefs Council and the Environment Agency, to develop new health and safety guidance for grid scale battery storage.

In August 2023, this Government updated its Planning Practice guidance to encourage battery storage developers to engage with Local Fire and Rescue Services (FRSs) before submitting a planning application, so that issues of the siting and location of Battery Energy Storage Systems (BESS) are dealt with before the application is made. The guidance also encourages local planning authorities to refer to the guidance on BESS published by the National Fire Chiefs Council (NFCC) for consideration when determining applications and to consult with FRSs before issuing decisions.

I would encourage Cllr Batson to write to ministers again after the election should he wish to discuss this matter in more detail.

In the meantime, thank you for taking the time to write to us.

Yours sincerely,

Alex Badrick
Deputy Principal Private Secretary

SMDC – Environmental Health

Contamination: Unexpected contamination and battery leakage condition advised.
Noise: A revised noise assessment and further information has been submitted to support the application and address Environmental Health queries. It was undertaken by Hepworth Acoustics (Report No. P23-129-R01-v7). The assessment summarises that subject to mitigation the development is not predicted to not cause adverse noise impacts. The assessment has considered the impact of the development under BS4142:2014+A1:2019 and BS8233:2014 and proposed mitigation to protect the nearest residential properties from adverse noise impacts and protect background sound levels at these properties. We would advise all mitigation proposed in the assessment is completed in full prior to first use (paras. 4.17 – 4.19 and figure 5). Condition advised.
Nuisance (Construction): Conditions advised.
Lighting: Condition advised.

AES – Waste

No issues regarding waste collections

Staffordshire County Council – Minerals and Waste

The Mineral and Waste Planning Authority has no comments to make regarding this application as the relevant extract from our standing advice applies. As the planning statement makes clear in section four that the nature of the development is temporary and reversible in nature.

Staffordshire County Council – PROW Officer

The Definitive Map of Public Rights of Way for Staffordshire shows public rights of way crossing and adjacent to, the application site and a public right of way running along the access track. From the information submitted it does not appear they will be directly impacted by the proposed development.

The following should be brought to the attention of the applicant and noted in the planning consent if granted: Public right of way Footpath No.48 Cheddleton Parish runs across the application site from the southern boundary at Newfields Farm, north to the northern boundary and then adjacent to, but outside the site boundary to the west. Public right of way Footpath No. 60 Cheddleton Parish runs across and adjacent to the southern boundary of the application site from west, continuing along the access track to the east.

The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its obstruction (temporary or permanent). The term obstruction, in this context, also applies to items such as gates or stiles which are regarded as licenced obstructions which must be sanctioned by the highways authority.

NPPF 104. states that: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide

better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Users of the path/s must be able to exercise their public rights safely and at all times and the path be reinstated if any damage to the surface occurs as a result of the proposed development. Where private rights exist that allow the use of vehicles along a public right of way, drivers of vehicles must give way to pedestrians.

Any trees, shrubs or hedging planted within 3 metres of the public right of way are the responsibility of the Landowner not the Highways Authority (including maintenance and liability).

Staffordshire County Council has not received any application to add to or modify the Definitive Map of Public Rights of Way in that vicinity.

The possibility of the existence of a currently unrecognised public right of way, makes it advisable that the applicant pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.

Staffordshire County Council – Archaeology

Taking the conclusions of the BHAA into account with regards to the archaeological potential of the site, and considering the potential impact of the scheme, and indeed the lack of previous archaeological work in the wider area, it is advised that, whilst I do not wish to raise any archaeological objections to the proposed development, should permission be granted, a further stage of archaeological evaluation, in the form of a staged evaluation comprising a geophysical survey followed by archaeological trial trenching (the need for and scope of this to be determined following the geophys survey) should be carried out across the site. This archaeological work should be undertaken in advance of any groundworks in order for the results to inform the need for further staged works and to inform the scale and extent of these further archaeological works (such as excavation, watching brief etc.).

The above approach, i.e. geophysical survey and trial trenching, is supported by NPPF (2023) para 200, while any works which stem from the evaluation are supported by NPPF (2023) para 211.

All archaeological works must be undertaken by an appropriately experienced archaeological organisation (with suitably experienced personnel) or historic environment professional/ archaeologist working to the requirements of a brief prepared by this office (or approved Written Scheme of Investigation (WSI), the Chartered Institute for Archaeologists (CIfA) Code of Conduct (or equivalent) and to a level commensurate with the relevant CIfA Standards and Guidance.

Staffordshire County Council – Lead Local Flood Authority

We have reviewed the Flood Risk and Surface Water Drainage Assessment Document (KRS.0612.002.R.001.G January 2024). At this time, we have no objections to the application subject to a condition being attached to any decision notice to ensure that the final detailed drainage design along with a management and maintenance plan are provided to the Local Planning Authority and reviewed by the LLFA. We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. Please also consult us again on any future major changes to the proposed development or drainage scheme.

Staffordshire County Council - Highways

No objection subject to conditions

Access routes are defined in the Transport Assessment. This is the most obvious route and links to A52 by the shortest route.

Swept path analysis of 16.5m articulated HGV has been shown.

Para 5.4.6 refers to peak average of 3 HCV deliveries per day. Calculations from total deliveries over construction period suggest average of 5 HCV deliveries per day. Even at worst case, it would be difficult to consider this level of trip generation as having a severe effect on the highway.

Vehicles are shown entering and exiting the private track by the southern leg of the junction. This is the most practical route and will not require any alteration to the existing highway. Photographic survey of this junction pre and post construction to record the condition of the highway would be beneficial. 640 additional HGV movements are anticipated over the 26 week construction period. Photographic survey would demonstrate if the condition of the junction were to be worsened by construction works. Commitment to repair, should any repair be necessary, would also be appropriate.

The actual site is some distance from the highway.

Current records show that there were no Personal Injury Collisions on Rownall Road within 215m either side of the access in the previous five years.

Staffordshire County Council – Education

As this development does not include any residential dwellings, the School Organisation Team can confirm that we have no comments to make on this proposal.

Environment Agency

The above consultation was received back in January but deemed to fall outside of our consultation filter. We would not therefore wish to provide bespoke comments on the development proposal. However, we have recently prepared a BESS

(Battery Energy Storage System) guidance note for Developers and LPA's which may be of assistance to you in determining the above application.

Natural England

NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Staffordshire Wildlife Trust (initial comments)

SUMMARY –Staffordshire Wildlife Trust, having reviewed the information provided, has a HOLDING OBJECTION – further information required in relation to the following:

1. Bat survey of tree requiring arboricultural works

Secure via condition should approval be granted:

1. Precautionary method statements for protected species during construction
2. Sensitive lighting scheme to minimise disturbance to wildlife
3. Minimum 20m buffer zone adjacent to watercourse
4. Landscaping and habitat enhancement details e.g. seeding, planting, soil preparation
5. Landscape and Habitat Management Plan to ensure habitats are managed appropriately for biodiversity
6. Details/specification for species enhancement measures i.e. bird and bat boxes

Staffordshire Wildlife Trust (further comments following receipt of bat survey)

I have reviewed the report and confirm that it is satisfactory.

NB. Response provided after reviewing Tree bat survey

Ramblers Association

There could be two P.R.O.W that could be affected Cheddleton 60 and 48. These paths must remain open for the use of the public during and after work has been done. Footpaths 47,49,53,58 and 59 are also in the vicinity and must be protected.

Peak and Northern Footpath Society

We note that the PROWs Cheddleton 48 and 60 are adjacent to the proposed site Cheddleton 60 is part of the access road. Use of the PROWs, and the safety of

users must not be affected by the development, nor during the work taking place. This comment is made on behalf of Peak and Northern Footpaths Society, a registered charity which exists to protect and improve public rights of way for use by walkers. Nothing in this response should be taken to imply the Society's support for the development.

Staffordshire Fire and Rescue Authority (Initial Response)

Standing Advice offered regarding the installation of Grid scale Battery Energy Storage Systems (BESS).

Full extract of the advice can be found at:

[AttachmentShowServlet \(staffsmoorlands.gov.uk\)](#)

Staffordshire Fire and Rescue Authority (Further Comments)

I have reviewed the drainage plan and the tank of 345 cubic meters will hold 345,000l of water, given the NFCC guidance of 1900l/min for 2 hours provides 228,000l of water. This means that the tank will be suitable.

I have still got concerns that the access road from the South splits into two very close to the cabinets in the east array. Could you provide assurance the access road will not be compromised by the vapour cloud and heat release rate if a fire was to occur in the most southerly cabinet?

I have been working with South Staffs DC with the planning conditions which I hope will be agreed this week.

Staffordshire Fire and Rescue Authority (Further Comments)

Thank you for the prompt response. I had the plans on the Drainage pack, I am happy that the attached revised access plan is suitable.

Staffordshire Fire and Rescue Authority (Final Comments)

Includes completed checklist and suggestion of conditions

7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

Planning Policy Context

7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "*shall have regard to the provisions of the Development Plan, so far as material to the application and to*

any other material considerations". The Development Plan currently consists of the Staffordshire Moorlands Local Plan (Adopted 2020).

7.3 Paragraph 11 of the National Planning Policy Framework (NPPF) explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay; or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Principle of Development (Green Belt)

7.4 The proposals relate to the construction of a battery energy storage system (BESS). The site lies wholly within the open countryside, as defined by the Local Plan policies map and within an area of Green Belt. Policy SS2 of the Local Plan sets out the settlement hierarchy for the District and identifies, within "Other Rural Areas", which comprises the open countryside and Green Belt, development is normally unacceptable. Policy SS10 sets out the strategic development principles for development in "Other Rural Areas".

7.5 Policy SS10 states that these areas will provide for only development which has an essential need to be in such locations, supports rural diversification and the sustainability of rural areas, promotes tourism, or enhances the countryside. SS10 sets out further how these policy objectives could be met. Specifically, with regard to development in the Green Belt, SS10 confirms that strict control will continue to be exercised over inappropriate development within the Green Belt, confirming that development will only be allowed for those exceptions as defined by Government policy.

7.6 Government policy for development within the Green Belt is outlined within the National Planning Policy Framework 2023 (The Framework). The Framework confirms at paragraph 142 that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and that its essential characteristics is its openness and permanence.

7.7 Paragraph 154 states that local authorities should regard the construction of new buildings as inappropriate development. Paragraph 152 confirms that inappropriate development is harmful to the Green Belt, by definition.

7.8 Paragraph 154 goes on to identify a number of exceptions to inappropriate development. These relate to, in summary, buildings for agriculture/forestry; outdoor sport/recreation; proportionate extensions; replacement buildings; limited infilling in villages; limited affordable housing; and, limited infilling/redevelopment of previously developed land. The application proposals do not meet any of these exceptions.

7.9 Paragraph 155 sets out that certain other forms of development are also not inappropriate development in the Green Belt. This is provided that they preserve

openness and do not conflict with the purposes of including the land in the Green Belt. This includes, inter alia, engineering operations and material changes of use of land.

7.10 It is unlikely that the development meets any of the exceptions for development in the Green Belt set out in 154 and 155. Although, whilst not definitive, there may be an argument to suggest that the proposals represent “engineering operations” and a change of use of land. It is therefore necessary to consider whether the proposals would preserve openness and conflict with the purposes of including the land within the Green Belt.

7.11 The 2024 draft consultation of The Framework does not materially alter the relevant Green Belt policies insofar as relevant to the application.

Impact on Openness

7.12 There is no definition of openness within the NPPF although it is accepted that the openness has both visual and spatial components.

7.13 The land has no built form and is a greenfield site, the site is therefore characterised by its openness. The proposals would result in above ground installations which includes substation, battery storage racks, inverters, other ancillary buildings, lighting, fencing, and bunding. The scale, heights and nature of these proposals are such that there would be a change in the character of this parcel of land. This would, spatially, result in the erosion of the openness of the Green Belt.

7.14 Visually, the development would be visible from the local public right of way network. Visibility of the site would vary to some degree depending on location of the receptor, nonetheless from some vantage points the development would be prominent. This may be tempered by some degree by its proximity to the Cellarhead substation, and existing farm buildings. Nonetheless, there would result a visual erosion to the openness of the Green Belt.

7.15 For the above reasons, it can only be concluded that the development would fail to preserve the openness of the Green Belt both visually and spatially.

Impact on the purposes of including the land in the Green Belt

7.16 The Framework, at paragraph 143, highlights that the Green Belt serves 5 purposes which includes, inter alia, safeguarding the countryside from encroachment. This is considered to be the most pertinent purpose in this instance.

7.17 As outlined above, the parcel of land is an open field, its size is not insignificant. The absence of development on the site, along with its agricultural use, means that the site has intrinsic countryside characteristics. The majority of this land would be lost to development of varying form which would ultimately change its character to one which is more industrial. Again, while this would be in

the context of the Cellarhead substation, the development would nonetheless result in an encroachment into the countryside.

7.18 Therefore, the development would also conflict with the purposes of including the land within the Green Belt due to failing to safeguard the countryside from encroachment.

Green Belt Conclusions

7.19 The development does not meet any of the exceptions for acceptable development in the Green Belt and, as such, is inappropriate development in the first instance. Even if there is an argument that the development falls within one of the exceptions within paragraph 155 of the Framework, the scale and nature of the development is such that it would fail to preserve openness and conflicts with the purposes of including the land in the Green Belt.

7.20 In accordance with Paragraph 153 of the Framework confirms that substantial weight should be given to any harm to the Green Belt.

7.21 In such circumstances the Framework confirms that development should not be approved except in very special circumstances (VSCs). The Framework goes on to confirm that VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.22 The Framework, at 156, acknowledges that renewable development will often be inappropriate development and goes on to state that, *“in such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”*.

7.23 Given the above, it is therefore necessary to consider the full extent of harm arising from the development, along with other considerations which weigh in favour of the proposals. This is returned to in the planning balance section of this report.

Renewable Energy/Low Carbon Development

The Development Plan

7.24 Policy SS10 states that these areas will provide for only development which has an essential need to be in such locations. Before considering whether the proposals would satisfy the strategic objectives of Policy SS10, it would be necessary to consider other Policies of the Development Plan which are specifically relevant to the principle of the development proposed.

7.25 Policy SD2 relates to renewable and low carbon energy. SD2 confirms that the Council will strive to meet its future energy demand through renewable or low-carbon energy sources through a range of technologies. It is accepted that BESS schemes are one such range of technology which can help to achieve and

manage future energy demand. With the exception of wind turbine schemes, SD2 confirms that support will be given to small and largescale standalone renewable energy schemes, subject to a number of considerations.

7.26 These other considerations relate to, the impact on the landscape; the environmental/social and economic benefits of the scheme, and how social and economic benefits have been minimised; the impact on biodiversity; the impact on the amenity of residents and other interests, including the historic environment; the degree to which individual policies reflect current evidence regarding renewable energy.

7.27 Policy SD2, therefore, confirms that support will be given to largescale renewable energy proposals. Given the essential need to meet energy demand through renewable and low carbon technologies the proposals would therefore be compliant with the overarching objectives of Policy SS10. Furthermore, in this location, adjacent to Cellardhead Substation, a number of BESS developments have also been deemed to be acceptable.

7.28 In support of the above, it should be highlighted that Staffordshire Moorlands District Council declared a climate emergency on 10th July 2019 and committed to make the Staffordshire Moorlands carbon neutral by 2030.

National Planning Policies and Guidance

7.29 The Framework at section 14 sets out the national policy for meeting the challenge of climate change. Paragraph 157 states that the planning system should support the transition to a low carbon future, and help to “shape places in ways that contribute to radical reductions in greenhouse gases”.

7.30 Paragraph 163 confirms that, when determining planning applications for renewable and low carbon development, LPA’s should, inter alia:

- a) Not require applicants to demonstrate the overall need for renewable or low carbon energy;
- b) Approve an application if its impacts are, or can be made, acceptable. Once suitable areas have been identified in plans, subsequent applications outside of these areas should demonstrate that the location meets the criteria in identifying suitable areas.

7.31 There is clear policy support, at national level for the delivery of renewable energy schemes. With specific reference to 163b) of the Framework, the Local Plan at present does not identify specific “suitable areas” for low carbon developments. Therefore, there is a degree of general support for the proposals within the development plan. This is a matter which weighs in favour of the development when considering the overall planning balance. In determining this application, it is only the impacts of the development therefore which require consideration. This would include the effect on the Green Belt as outlined earlier.

7.32 A draft version of the NPPF has been published which is also a material consideration in the determination of this application. The revised NPPF at

paragraph 164 (which corresponds to the existing paragraph 163) adds an additional sentence which states that “*Local planning authorities should support planning applications for all forms of renewable and low carbon development*”. The revised paragraph goes on to state that when determining planning applications LPAs should, “*not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the proposal’s contribution to renewable energy generation and a net zero future*” (additional wording emphasised for clarity). Existing paragraph 163b), relating to impacts, has been proposed for removal.

7.33 Whilst not policy, Planning Practice Guidance (the PPG), provides further advice on the delivery of low carbon and renewable developments. This confirms that “*planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable*”. (Paragraph: 001 Reference ID:5-001-20140306).

7.34 The PPG goes on to confirm that “*examples of considerations for particular renewable energy technologies that can affect their siting include proximity of grid connection infrastructure and site size*”. (Paragraph: 006 Reference ID:5-006-20140306).

7.35 The PPG confirms that, in considering planning applications it is important to be clear that, need does not automatically override environmental protections; cumulative impacts require particular attention; local topography is an important factor; care should be taken to conserve heritage assets; proposals in National Parks and the AONB will need careful consideration; protecting local amenity is important and should be given proper weight. (Paragraph: 007 Reference ID:5-007-20140306).

7.36 The PPG (Paragraph: 032 Reference ID: 5-032-20230814) also provides specific advice relating to Battery Energy Storage Systems, confirming that they “*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 (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity*”. The PPG goes on to highlight that local authorities ought to consider the potential risks associated with such installations.

7.37 It is considered that the considerations set out in the PPG are consistent with the Policies of the Development Plan.

7.38 The National Policy Statement for Renewable Energy (EN-1), given the scale of the development, is relevant and can be considered to be a material consideration in the determination of this application.

7.39 EN-1 confirms at 3.3.25 that “*Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated*” and, at 3.3.26, that “*storage is needed to reduce the costs of the electricity system and increase reliability by*

storing surplus electricity in times of low demand to provide electricity when demand is higher”.

7.40 EN-1 therefore confirms the national position that BESS schemes play an important role in the transition to a low carbon future.

7.41 Whilst energy storage is not specifically covered by National Policy Statement for Renewable Energy Infrastructure (EN-3) it does confirm, at 2.9.9, that *“electricity storage is essential for a net zero energy system, it stores electricity when it is abundant for periods when it is scarce, as well as providing a range of services to help maintain the resilience and stability of the grid”* (emphasis added).

7.42 In addition to the national policy position, there are a wide range of other nation documents of direct relevance which highlight the importance of electricity storage in achieving net zero targets.

7.43 The Energy White Paper (EWP) highlights, in summary, the urgent need to tackle climate change and that this requires the decarbonising of the energy system to cleaner technologies. The EWP highlights energy storage and flexibility as being a priority area in the overarching strategy. The Energy White Paper set out an ambition to realise at least 18GW of interconnector capacity by 2030.

7.44 The Industrial Decarbonisation Strategy sets out the Government strategy for how industry can decarbonise in line with net-zero targets. This highlights that smart technologies, such as storage and demand-side response, can provide flexibility to the electricity system, helping consumers use energy when it is cheapest and cleanest.

7.45 The document, Transitioning to a Net Zero Energy System: Smart Systems and Flexibility Plan (July 2021) reaffirms the Governments commitment to leading the way in transforming the energy sector and that *“a smarter, more flexible system will utilise technologies such as energy storage and flexible demand to integrate high volumes of low carbon power, heat and transport and reach a carbon neutral future. A smart and flexible energy system can deliver significant benefits for consumers, the system and the wider economy whilst lowering carbon emissions”*. The vision sets out that *“electricity storage will be deploying in the most optimal locations and at all scales. Storage will be providing significant flexibility to the system (potentially around 13GW in combination with flexible demand) and helping to address many of the challenges presented by a low carbon system, including maintaining energy security”*.

7.46 The National Grids Future Energy Scenarios 2024 (FES), sets out a number of pathways to achieving net zero. FES confirms that low carbon flexibility is needed to operate a net zero energy system. Electricity storage is necessary across all of the net zero pathways to help balance the grid and ensure security of supply and that battery storage is increasingly important in moving to net zero. FES, in its steps to achieving net-zero, notes that low carbon flexible energy sources and storage are vital to provide the adequacy needed for a reliable energy

system. In all scenarios this capacity is expected to be significantly increased by 2030.

7.47 Net Zero Strategy: Build Back Greener (October 2021), again, highlights that, *“the deployment of smart technologies and flexibility will underpin our energy security and the transition to net zero. Flexibility from technologies such as energy storage, smart and bidirectional charging of electric vehicles, flexible heating systems, and interconnection could save up to £10 billion per year by 2050 by reducing the amount of generation and network needed to decarbonise”*.

7.48 The British Energy Security Strategy (April 2022), also confirms that *“accelerating our domestic supply of clean and affordable electricity also requires accelerating the connecting network infrastructure to support it. Within this decade, our modern system will prioritise 2 key features: anticipating need because planning ahead minimises cost and public disruption; and hyper-flexibility in matching supply and demand so that minimal energy is wasted”*.

Conclusions on local and national policy

7.49 There is overwhelming local and national policy support for the development of renewable and low carbon developments. This includes the delivery of BESS schemes which have critical role in supporting local and national policy objectives as evidenced above. Therefore, this policy support at both a local and national level is a matter which weighs in favour of the proposed development. There is currently a significant under provision of such facilities and more infrastructure of this nature is needed to meet the ambitious goals and targets. This is returned to in the overall planning balance.

7.50 The locational requirements and the capacity of the site is considered in more detail below. It is also necessary to consider the degree of conformity with the criteria set out in Policy SS10, SD2, and national guidance. Compliance with specific criteria of these policies, and other policies of the Development Plan, are also considered further below.

Site Location and Capacity

7.51 There is no requirement to demonstrate an overall need for a renewable energy development as the need to deliver developments which contribute towards a low carbon future, as set out above, is compelling.

7.52 The application site lies immediately adjacent to the Cellarhead Substation site and, as such, the scheme would have a direct connection to the grid without the need for the installation of any significant above or below ground infrastructure. The immediate proximity of the development to the grid, is considered to be an optimum location for the delivery of energy storage, and siting is a factor which is highlighted by the PPG and other supporting documents. Also, it is understood that the Cellarhead Sub-station has the capacity and capability to work with the development in terms of managing supply and demand. The applicant have confirmed that they have an agreement with National Grid to connect via Cellarhead Sub-station and this connection is secured. The ability to connect to

the grid, in a location immediately adjacent to the sub-station, are factors which weigh in favour of the development.

7.53 The proposed BESS scheme is designed to have a storage capacity of 99.9MW which has the capability to absorb or release energy from the network as and when is needed. The storage capacity of the site is not insignificant and would go some way in contributing towards the national targets for the delivery of battery storage schemes and, as such, would play an important role in achieving the transition towards a low carbon future.

7.54 BESS allows for more renewable energy production to be integrated into the system. Energy production associated with renewable energy is variable and as such creates peaks and troughs. BESS allows for any peaks and troughs in electricity supply to be managed, enabling National Grid to provide electricity, when renewable sources are not generating. The proposals would make a significant contribution in assisting with the management of energy supply and demand.

7.55 The contribution of the development in terms of assisting with energy supply is significant and weighs heavily in favour of the proposed development.

The Use of Natural Resources and Agricultural Land

7.56 Policy SD1 requires all development to make sustainable use of resources which will be achieved by having regard to the best and most versatile (BMV) agricultural classification of the land. SD1 identifies a preference for the use of lower quality over higher quality agricultural land. Development should also aim to minimise soil disturbance.

7.57 The NPPF at, 180 states that decisions should recognise the economic and other benefits of the best and most versatile agricultural land. Footnote 62 confirms that 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.

7.58 The use of a greenfield site next to the existing energy infrastructure is considered to be acceptable. The application area extends to a 2.48ha, including access track, and the majority of the site is agricultural land. Agricultural land is divided into 5 classifications, Grade 1 being “excellent” and Grade 5 being “very poor”. Grade 3 is divided into two sub categories Grade 3a) being “good” and Grade 3b) being “moderate”. The NPPF confirms that Best and Most Versatile (BMV) agricultural land is identified as falling within Grades 1, 2 and 3a.

7.59 Evidence from Natural England confirms that the site falls within Grade 4 and, as such, does not fall within BMV. Given the modest scale of the site, which relates to a single field, it is not considered that a detailed assessment on BMV is necessary in this instance.

7.60 In addition, the scheme is identified as being temporary with the development intended to be decommissioned and land restored after its 40-year

operational life. The infrastructure can be removed and land restored in accordance with a scheme which could be secured via condition. Site restoration could, for example, bring the land back into more productive agricultural use which would not be unfeasible given a development of this nature. The definition of previously developed land, as identified by the NPPF, confirms that this excludes *“where provision for restoration has been made through development management procedures”*. Therefore, with a condition in place to restore the land following decommission, as proposed, the site would remain greenfield land.

7.61 With regard to the effect on resources underground, such as sand and gravel, Standing Advice from Staffordshire County Council (the relevant minerals and waste authority) confirms that where proposals are temporary, or easily removed, and involves minimal disturbance of the ground, they would conclude that the proposal is unlikely to create a significant safeguarding issue. The application proposals are of a nature which would meet this Standing Advice and, therefore, the proposals would not result in implications on minerals safeguarding.

7.62 Therefore, with regard to the use of natural resources, the proposals are considered to be compliant with Policy SD1 of the Local Plan and the NPPF.

Landscape and Visual Impacts

7.63 Policy SS1 requires development to protect and enhance the natural environment of the District. Policy DC1 requires development to be designed to respect the site and its surroundings. Policy DC3 seeks to protect and, where possible, enhance local landscape and the setting of settlements. This will be achieved by resisting development which would lead to a prominent intrusion into the countryside, and supporting development which respects and enhances local landscape character.

7.64 The site relates to a single field within a predominantly rural area. The field is located on land which lies to the north of Newfields Farm, which includes farmhouse and a number of associated buildings. To the immediate east and north of the site is the Cellarhead sub-station complex. The Cellarhead substation is a significant development which dominates the local context and adds an industrial character to the immediate landscape. A number of overhead powerlines cross the surrounding field connecting to the sub-station which add further industrial components to the landscape. The eastern, western and northern boundaries of the site include mature landscaping this helps in part to screen the substation, but also provide screening for the application site. The site is accessed via a track from Rownall Road to the east which serves the farm and adjacent substation.

7.65 The proposal includes the installation of battery energy storage infrastructure which would be sited centrally within the field. The main pieces of infrastructure comprise 14 storage racks which would house the batteries, 14 associated inverter and transformers, metering substation, switch gear building, and control buildings. The scheme also includes a number of other pieces of associated infrastructure, comprising containers, and small buildings. Hardstanding would be laid to provide access routes to, through and around the site. Fencing, of various designs, including acoustic fencing is proposed around

the site. A bund is proposed to the west. The scheme also includes landscaping and biodiversity enhancements.

7.66 In plan form, the proposed development would not project beyond the western or southern extremities of the Cellarhead substation complex. The proposals would essentially result in a “squaring off” of the extents of the substation complex. Having regard to this context, the site would be closely related to this existing infrastructure and would represent a logical location for additional energy generating infrastructure, without protruding significantly or unharmoniously into the wider countryside.

7.67 The installations proposed are similar in nature to those which are housed at Cellarhead substation and would therefore, visually, be viewed against similar development. Albeit the proposals are smaller in scale and height when compared the Cellarhead substation and would appear as a subservient installation. Cellarhead sub-station would provide an industrial backdrop for the development and would remain dominant in the landscape.

7.68 The Councils Landscape and Settlement Character Appraisal identifies that the site is located within the ‘Ancient Plateau Farmlands’. This confirms that the key characteristics of this area are:

- Gentle undulating landform with some steep slopes
- Heathland including wet heath with rushes and rough grasses
- Drystone walls with remains of unmanaged hedgerows and isolated trees
- Fields often demarcated by fencing
- Dairy farming and horse grazing
- Small woodlands, broadleaf and conifer
- Isolated stone farm houses and buildings converted to residential dwellings
- Electricity power lines and substation

7.69 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) which considers the visibility of the site and landscape sensitivity. The LVIA goes on to assesses the potential landscape and visual effects of the proposed development, including an assessment of 16 representative viewpoints of potential visual receptors of the development. A further assessment of the cumulative effects has also been provided.

7.70 In terms of the effects on the landscape, the LVIA concludes that there would be:

- No material impact on the character of NCA64: Potteries and Churnet Valley;
- A moderate adverse effect on the Ancient Plateau Farmlands LCT within the Site and its immediate environs during construction and at Year 1. By Year 15, effects upon the LCT within the Site would reduce to moderate/minor adverse;
- up to a negligible effect on the character of the wider LCT during construction and at Years 1 and 15; and

- A major effect on the character of the Site and its immediate context during construction, reducing to major-moderate on completion. In the long term, impacts would be of a moderate significance on balance.

7.71 With regard to the visual effects the LVIA acknowledges that the development would be visible from a number of public footpaths on/close to the site. The LVIA concludes that notable effects on PRow users would be limited to users of Footpaths Cheddleton 48 and Cheddleton 60 where these pass around the boundaries of the field containing the site, and a minor to moderate long term adverse impact on Cheddleton 58 to the south-west where closest proximity to the site. The LVIA identifies that views from all of these routes are already heavily influenced by the structures within the existing substation. From the wider network, the LVIA concludes that the effects would be no greater than neutral or negligible to minor adverse.

7.72 From residential properties the LVIA identifies that the site may be visible in some views from a number of properties to the south and west of the site, including Platts Farm, Field View Farm, Armshead Farm, Green Farm and Bungalow Farm, but such visibility would be limited due to consecutive layers of intervening vegetation. It acknowledges that the site may be visible in views from the northern edge of Werrington and Armshead but the development would not result in a notable change.

7.73 In terms of road users the LVIA highlights that the effects would typically be negligible where any change could potentially be perceived.

7.74 The Council has sought views from a Landscape Consultant (Stuart Ryder). He considers that the proposals will effectively turn the single pasture field site into an industrial development more akin to the neighbouring Cellarhead Sub-station rather than the agrarian landscape to the south and west and this change (to the site itself) can only be classified as a Major, Adverse and Permanent effect that is an inevitability of development. He identifies that the strong planting buffer to the west is acknowledged and ultimately the woodland planting belt will likely screen views to the overall development in an estimated 6 to 8 years.

7.75 From the wider receiving landscape he considers that the effects would vary at year one from minor adverse from north and east, moderate adverse to the south, and major/moderate adverse to the west. These would reduce to negligible adverse, minor adverse, minor adverse and minor adverse respectively.

7.76 With regard to the visual effects, he has identified that from PRow Cheddleton FP48 which runs to the east of the site, that users will have close range views at approximately 40m away to the main development area, and that there would be moderate adverse effects at year one. He considers that the proposed hedge would be ineffective in screening until it reaches maturity above eye level.

7.77 From Cheddleton FP 60, which runs along the south of the site, he considers that users of the path will be able to see the southern side of the proposals along the route to the battery yard's main access. Bunding and planting

would screen the western third of the yard, while the eastern third would be screened by Newfield Farm buildings. The middle third of the path will have open sight to the acoustic barrier and security fencing and allow for the perception of power infrastructure rather than pastoral landscape.

7.78 Cheddleton FP58 would have views towards the western and southern boundaries. He considers that the distance and slight elevation that this path has over the site means the bund planting will take longer to become an effective screen.

7.79 He makes reference to Armshead farm being situated 50m from the site. However, this property is located approximately 850m to the south west. It is assumed that this relates to Newfields Farm. From here he raises concern regarding views towards the acoustic fence and infrastructure.

7.80 Some design amendments have been suggested by the Landscape Consultant to reduce the visual effect of the development. These include, rounding of the top of the acoustic bund and varying its slope gradients; breaking up the top line and varying the colour of noise barrier; ensuring that inert material forms the basis of the acoustic bund; detail on how the meadow diversity would be achieved on ground previously improved by nutrient application; using recessive colours for the acoustic barriers and security fencing; patches of parkland trees in the meadow grass to the east of the battery yard to add additional screening whilst still retaining the meadow habitat (or seek diversion of the FP48).

7.81 It is considered that matters relating to site levels, fencing design/colour, and detailed landscaping across the site could be secured via condition. It is agreed that an enhancement to structural landscaping to the east to provide greater screening from PROW 48 would be of importance. Furthermore, it is also agreed that the colour appearance of the fencing and installations would be important to help to assimilate the development into the landscape.

Cumulative effects

7.82 The below plan, prepared by Stuart Ryder in his comments, shows the site in relation to other developments which have either been considered, or are yet to be considered.



© Ryder Landscape Consultants Ltd. 2024. Contains Bluesky Licenced Information - Date of aerial photograph 6/9/21

7.83 This includes two BESS schemes to the east of the site which have extant approval (Refs: SMD/2022/0444 and SMD/2022/0548). A scheme for BESS at Armshead Farm (SMD/2022/0548), located to the southwest, has been refused and is currently at appeal. A further scheme for BESS to the south of Cellarhead sub-station is currently under consideration (SMD/2024/0055). While a large solar farm development to the north is also under consideration and yet to be determined (SMD/2023/0523). The application site lies at point 4 adjacent to the substation.

7.84 Clearly should all developments be approved then there is a potential for a significant industrialisation of this pastoral landscape. The Councils landscape consultant advises that the proposed development “*will appear as an extension to Cellarhead Sub-station by virtue of the similar equipment*”, although they acknowledge that there would be a public route between. They are of the view that Cellarhead substation will not appear any larger in the wider landscape given the scale difference between the proposals and the existing facility.

7.85 They note that there would be a sequential experience of walking the routes passing one BESS facility after another and this changing the scenic qualities of the area. Notwithstanding this, they have not identified any concern with regard to cumulative intervisibility with the extant approvals. They do observe that there may

be intervisibility with similar developments to the south. Although none of these have approval (they are either at appeal, not submitted, or under consideration).

7.86 The applicants have also made an assessment of the cumulative effects on the landscape and visually, with an updated report considering the sites identified by the Landscape Consultant. This concludes that *“cumulative effects would be no greater than moderate adverse, with such moderate adverse effects limited to:*

- *perceptual/experiential effects on local landscape character within a limited area in close proximity to the substation where multiple cumulative schemes may be visible as well as the Proposed Development; and*
- *users along restricted sections of the local PRow network, predominantly users of Footpath Cheddleton 60 who would experience sequential and in places simultaneous visibility of the multiple cumulative schemes to the east and south of the Proposed Development. The Proposed Development and many of the cumulative schemes would be seen in the context of the existing substation.”*

7.87 Nonetheless, it remains that the proposals do need to be considered on their individual merits. It is considered that this site is materially different to other sites identified, and needs to be considered in the context of the immediate surroundings.

7.88 Firstly, this site is much smaller than other developments which have been granted consent or are under consideration. The scheme relates to one field which is well contained by existing landscape and the adjacent built form. Secondly, the site is much more closely related to the Cellarhead substation than other developments that have been granted or are under consideration. Its siting would ultimately consolidate existing Cellarhead sub-station, rather than resulting in a spread, encroachment or protrusion into the wider rural landscape away from the substation. Thirdly, the modest scale of the site, and its proximity to the substation means that this site has limited visibility and prominence in the wider receiving landscape and with other developments which have been approved. In this context, it is considered that the development could be incorporated into the landscape without resulting in such adverse cumulative effects, in landscape and visual terms.

7.89 In conclusion, it is inevitable that a development of this nature, scale and location will have some adverse landscape and visual effects, particularly in the short term. Furthermore, it is acknowledged that this would add further energy related infrastructure into the wider receiving landscape. This weighs against the development. However, it is acknowledged that the proposals are well contained, and represent a rounding off of the Cellarhead sub-station parameters, without being prominent on the landscape from a wide range of vantage points. The proposals do not affect, but work with, existing landscape structure. Through mitigation any residual harm is likely to be limited and localised. Ultimately this is a temporary development and a reversible project and after decommissioning there could be some landscape improvement. All of these factors limit the extent of landscape harm.

7.90 For all of these reasons the landscape and visual harm, in the longer term, would be mitigated by the proposed new and enhancement planting which would be secured through conditions.

Living Conditions

7.91 Policy DC1 requires development to “*protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution*”.

7.92 The main considerations in relation to a development of this nature, would be the effect on living conditions by reason of visual impact/outlook, and noise and disturbance. It is not considered that such development would give rise to amenity issues relating to daylight, sunlight, or privacy etc.

7.93 Newfields Farm, which is located immediately adjacent to the site, includes a farmhouse within its complex. The development would be within very close proximity to the farmhouse which has a façade which faces directly towards the site. The proximity of the development is such that there would be an unacceptable effect on occupants of the farmhouse through loss of outlook. Furthermore, the noise generated from the development is likely to result in undesirable living conditions resulting in significant disturbance, both to internal and external areas.

7.94 The application has been supported by a Noise Report, although it does not consider the effects of the development on the farmhouse at Newfields Farm. This is because there is an agreement between the applicant and the landowner that the building would cease to operate as a dwelling. It is confirmed that the landowner does not reside at the site and that the building is rented out on a month by month basis. Once operational, it is intended that the building would be used for storage purposes in association with the agricultural operations of Newfields Farm.

7.95 While there may be an agreement between the landowner and applicant, this falls outside of the planning process and therefore, there is nothing in planning terms to discount the building being considered as its lawful use. Nonetheless, it is considered that a legal agreement could address this point, which the applicants have confirmed they would be willing to enter into. Such a legal agreement would require the residential occupation of the dwelling to cease upon operation of the site.

7.96 Therefore, subject to the applicant entering into a legal agreement to ensure that the building ceases occupation as a dwelling, the development would not have an unacceptable effect on occupants of Newfields Farm. In the absence of a legal agreement the development would be unacceptable in planning terms.

7.97 In terms of the effect on dwellings further afield, the submitted Noise Report considers the likely impacts on the closest properties. The scheme includes acoustic fencing and bunding and these installations would assist in ensuring that

the effect on noise would be at acceptable levels. The site is some distance from other dwellings, and this proximity would mean that no other amenity issues would arise.

7.98 Environmental Health raised some initial queries regard the content of the Noise Report. Following the receipt of additional information, the EH Officer is now satisfied that the effect of the development on the living conditions for nearby occupants would be acceptable subject to the imposition of relevant conditions.

Biodiversity and Ecology

7.99 Policy NE1 requires biodiversity resources to be conserved and enhanced and expecting all appropriate development to delivery biodiversity net gains, proportionate to the scale of the development proposed. The Environment Act 2021 has now come into effect, which requires the delivery of a minimum of 10% Biodiversity Net Gain (BNG). However, as the application was made prior to 12th February 2024 the 10% delivery of BNG is not a statutory requirement.

7.100 The application has been supported by a Preliminary Ecological Appraisal (PEA) and an Ecology Walkover and Assessment Note, provided as an update to the original PEA. The PEA is robust and considers the effect on all relevant sites, habitats and species.

Impact on Sites

7.101 With regard to the effect on statutory sites, the nearest site is the Wetley Moor SSSI which is located circa 700m to the west of the site. The PEA concludes that the application site does not have an features which contribute towards that site. Therefore, due to distance and lack of habitat connectivity it is concluded that this site would not be affected by the development.

Habitats and Protected Species

7.102 The PEA considers the effects on protected species and their habitats including breeding birds, amphibians, bats, reptiles and hedgehogs.

7.103 The report identifies that nesting birds were present, but subject to appropriate measures the impact on breeding birds could be made acceptable. With regard to other species considered, the report concludes that the effects of the development on species and their habitats would be low or negligible and, where necessary, reasonable avoidance measures could be incorporated.

7.104 Staffordshire Wildlife Trust (SWT) have considered the content of the PEA and are satisfied with its conclusions. However, they identified that one tree, which is subject to significant pruning has the potential to support roosting bats. As such, they advised that a survey of this tree be carried out. A survey of the tree has been conducted which concludes that the tree does not have roosting potential. SWT are therefore satisfied with the development in this respect.

7.105 There would be an opportunity for the development to deliver biodiversity enhancements which can be secured through a CEMP and LEMP.

7.106 To conclude, there are no outstanding objections by SWT with regard to the effect of the development on protected species or their habitats, subject to various conditions. Natural England also raise no objection to the proposals.

Biodiversity Net Gain (BNG)

7.107 The application has been supported the most recent Defra metric which considers the existing baseline value of the site and the enhancements to biodiversity which are proposed. The scheme proposes enhancements to biodiversity to include a woodland, hedgerow and scrub planting across the site while retained areas of grassland are proposed to be enhanced.

7.108 The metric demonstrates that the scheme would deliver habitat net gains of 1.36 units (or 15.49%), and hedgerow gains of 1.08units (or 99%). This would greatly exceed the current national target for BNG.

7.109 SWT are satisfied with the content of the metric and have advised that development would require long-term maintenance and management, which could be secured via condition. It would necessary for the ecological conditions to include updated BNG metric to reflect the final detailed landscaped and ecological enhancements of the site. Therefore, subject to condition, the scheme would deliver an appropriate level of BNG.

Effects on Public Rights of Way

7.110 Policy T1 states that consideration should be given to how schemes can enhance the existing path network and give consideration to the protection of non-definitive public footpath routes in addition to definitive routes. Policy T2 states that the Council will also ensure that all legally recognised public rights of way (PROW) affected by development are protected and, where possible, enhanced.

7.111 Crossing, and adjacent to the site, are a number of PROWs. The proposed development could be carried out without affecting the route of the PROWs as detailed on the definitive map, and it appears that the development can be carried out without the requirement for diversion. Appropriate spacing between the development and the routes can be provided to ensure that legible routes are retained. It is likely that the routes could be affected during construction, therefore how users will be protected and the routes remaining available need to be considered which can be secured via condition. The visual effects of the development on the enjoyment of the routes has been considered above.

7.112 Some of the routes within and adjacent to the site are not clear, with lack of clear way markers, and stiles which are in need of upgrade. Improvements and enhancements to the PROW routes could be secured via condition, which would accord with Policy T2.

Heritage

7.113 Policy DC2 requires that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. Development which is likely to affect archaeology, will require the submission of a desk-based assessment. S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, sets out the general duty when consideration application which affect listed buildings, and states that special regard be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.114 The application has been supported by a Built Heritage and Archaeological Assessment (BHAA) which considers the effect on heritage assets. development would not have a direct impact on designated heritage assets. This report identifies that, within 1km of the site, there are no scheduled monuments, registered parks and gardens or conservation areas. The report identifies that there are two, Grade II listed buildings within this area (Stables at Rownall Hall, and Milestone at SJ 943 475). There are no direct effects on any heritage asset.

7.115 Given the distance between the development and these listed buildings, along with the landform and vegetation there is no intervisibility. As such, the development would not have a harmful effect on the setting of Listed Buildings.

7.116 With regard to the effect on archaeological matters, the BHAA considers these assets. The content of which are sufficient to provide a good understanding of the archaeological potential of the site. These conclude that there is little archaeological interest or potential in the site, and that construction impacts are likely to be localised.

7.117 However, the County Archaeologist has reviewed the proposals and consider that it would be necessary for further archaeological evaluation to take place and have recommended conditions in this regard. Therefore, subject to the imposition of relevant conditions it is considered that below ground heritage assets could be preserved.

Highway Safety

7.118 Policy DC1 requires development to make provision for 'safe and satisfactory access' and requires development proposals to 'make a contribution to meeting the parking requirement arising from necessary car use.' Policy T1 states that 'all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

7.119 The application has been supported by a Transport and Access Statement which assesses the likely effects of the development on the highway network. The main effects of the development on the highway network would be during the construction phase of the development.

7.120 Construction traffic routing would be from the A52, accessing onto Rownall Road to the south, and then to the site via the Cellarhead Substation access road. It is estimated that construction would take place over a 6 to 9 month period which would require a range of vehicles visiting the site. It is indicated that the proposed development would result in 320 deliveries, or 640 two-way movements throughout the construction period. This generally comprise two or three deliveries a day, or four to six movements in total.

7.121 It is predicted that the peak movements arising from the development would result in an increase of vehicle flows on A52 and A520 by 0.6% and 0.7% respectively. In terms of HGV movements these would increase by 1.8% for the A52 and 1% for the A520 during peak times.

7.122 Swept path drawings show that the junction from Rownall Road is of sufficient geometry to accommodate the size of vehicles accessing/egressing the access. Internally, the site can provide appropriate manoeuvrability for a fire appliance.

7.123 The increase in construction traffic arising from the development is not considered to have a detrimental effect on the local highway network, and no objections or concerns have been raised by SCC Highways in this regard.

7.124 It is likely that there would be some disturbance locally, arising from the construction phase although the effects would only be temporary.

7.125 During the operational phase, there would be no staff based on site with persons attending the site for routine maintenance or checking the site. This is likely to lead to 12 LGV trips per year. Therefore, during operation, it is considered that there would be no adverse effect on the capacity of the highway network or highway safety issues arising.

7.126 The Transport and Access Statement recommends a series of measures to be implemented during construction. Subject to the adherence of these measures SCC Highways have raised no objection to the development.

7.127 Therefore, subject to compliance with the Transport and Access Statement, which can be secured by condition, the proposals would not have an adverse effect on highway safety and would comply with Policies DC1 and T1 of the Development Plan.

Flood Risk and Drainage

7.128 Policy SD5 states that a sequential approach to the management of flood risk will be followed, directing development to areas at lowest risk of flooding. SD5 requires all applicable development to be supported by an FRA and that it is designed to be flood resilient and resistant and safe for its users for the lifetime of the development. In addition, all applicable developments should incorporate sustainable drainage measures.

7.129 There is a drainage ditch along the northern part of the site and an unnamed watercourse along the western boundary. The application site lies within Flood Zone 1 although a small part of the site has subject to surface water flooding. The application has been supported by a Flood Risk Assessment which considers the risk of development from all sources of flooding.

7.130 This concludes that the sources of flood risk are of no significance, or of low significance and that the flood risk can be considered to be limited, with a low annual probability of flooding and from all sources. The area of surface water flooding falls outside of the area to be developed. Given the low probability of flooding and the extent of development not affecting the area at risk, it is not considered that a sequential test is required in this instance.

7.131 The FRA considers the opportunities for the discharge of surface water with the most likely scenario of discharging to the drainage ditch with attenuation and a restricted runoff rate. The underground attenuation would be in the form of a crate system and would also serve the purpose as forming an area of fire service water storage in the event of an incident of site.

7.132 It is considered that appropriate SUDs can be delivered with the scheme. The Lead Local Flood Authority have raised no objection to the development on flooding or drainage grounds, subject to a condition relating to detailed drainage being provided.

7.133 Therefore, with regard to flood risk and drainage, the proposed development would be compliant with policy SD5 of the Local Plan, and guidance contained within the NPPF.

Public Safety

7.134 Policy SS1 and DC1 both seek to deliver a safe and healthy environment. Planning Practice Guidance requires that local authorities consider the potential risks associated with BESS schemes, this encourages consultation with the local fire and rescue service, and consideration of the guidance produced by the National Fire Chiefs Council (NFCC) on grid scale battery energy storage systems.

7.135 Much of the NFCC guidance includes technical matters such as details regarding detection and monitoring, suppression systems, deflagration prevention and venting, signage and emergency plans. There are also other matters, which relate to site access, layout and water supply. The application is accompanied by an Outline Battery Safety Management Plan.

7.136 Consultation with Staffordshire Fire and Rescue Authority (SFRA) has been undertaken. The initial response received from SFRA provided generic advice which reiterates the guidance by the NFCC. Notwithstanding this, throughout the course of the application the applicants have been in continued dialogue with officers at the SFRA to discuss their proposals. This has included the completion of a check list, produced by SFRA, which covers matters detailed by the NFCC guidance. The applicant has completed this checklist which has been reviewed by SFRA.

7.137 It must firstly be acknowledged that the site is a rural location which has a low population density. Such a location would therefore reduce the population exposure to an incident, when compared to an urban location. There is one dwelling located immediately adjacent to the site, Newfields Farm, however this property would cease occupation upon operation of the site (to be secured via legal agreement).

7.138 In terms of specific layout considerations, NFCC guidance suggests that a spacing of 6m should be provided between units. This is unless suitable design features can be introduced. The scheme proposes a spacing of 3m between units which falls below the guidance. The applicants have advised the SFRA that:

This distance is based on best practice guidance and standards (including National Fire Protection Association (NFPA) 855 Standard), insurance requirements (including FM Global 2024), and the results of safety testing (including UL 9540A and the Beyond Industry Standards Test). As explained above, the results of available safety testing data demonstrate that even when units are arranged as close together as possible active firefighting measures do not need to be taken and thermal runaway does not propagate between units. A 3m separation is at least double the minimum spacing allowed by best practice standards including FM Global 2024 (which requires 1.5m aisle separation).

Based on these factors the SFRA have confirmed that they have no objection to this matter, subject to condition.

7.139 With regard to access, NFCC guidance states that at least two separate points of access should be provided. The scheme includes a perimeter road with a northern and southern entrance into the compound. Following discussions with the SFRA the layout has been amended to provide a split in the road before reaching the first entrance. This will allow for vehicles to access the perimeter road to north should the southern access become unusable. SFRA have confirmed there are no outstanding matters on this point.

7.140 Water supply would be provided via a hydrant and the applicants have confirmed that they have received a formal offer from Severn Trent. This would need to provide appropriate flow rate and pressure. In the event of an incident it may be possible that water could be recycled by connecting to the proposed drainage storage.

7.141 The scheme includes an underground attenuation plant where surface water would be directed to. In the event of an incident, firewater could be directed to this tank and its valve switched off to ensure that any contaminated or polluted water does not enter the local water environment. Provided the water is not contaminated it is possible that the water could be recycled by SFRA during an incident.

7.142 The latest comments of SFRA have suggested conditions regarding the preparation of an overarching fire safety precaution statement, and adherence to

the technical and safety information within the submitted Outline Battery Safety Management Plan.

7.143 Having regard to the above it is considered that safety issues surrounding the site have been considered and there are no outstanding matters which require resolution at this stage. Therefore, in the absence of an objection from the SFRA and subject to the conditions that they have suggested, it is considered that the details are acceptable in this regard.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision making this means that amongst other things, that local planning authorities should positively seek opportunities to meet the development needs of their area unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and to secure a development that improves the economic, social and environmental conditions of the area.

8.2 The site lies within the Green Belt, and it has been concluded, that the development would represent inappropriate development. This is because it does not meet any of the exceptions for development in the Green Belt, and even if it did, it amounts to development that would fail to preserve openness and conflicts with the purposes of including the land in the Green Belt. Paragraph 153 of the Framework confirms that substantial weight should be given to any harm to the Green Belt.

8.3 The development therefore should not be approved except in VSC's. VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

8.4 In this instance, it is considered that other harm would arise by reason of the inevitable landscape and visual impacts of the development, along with the slight cumulative effect to the landscape in the area generally, with other approvals. Notwithstanding this, it is considered that the extent of harm is reduced by the relatively modest scale of the proposals, and its close relationship with existing built form. Together, these limit the overall landscape effects. Furthermore, a landscaping strategy for the site would make the effects more acceptable in the medium to longer term, while the development could be seen to be reversible. Together, these factors mean that the additional harm, in planning terms, would add slight weight against the development.

8.5 There is an absence of identifiable harm relating to public safety, living conditions, highways, flood risk, drainage, trees, heritage assets and the use of low grade agricultural land. However, some of these matters would be subject to the imposition of appropriate conditions and legal agreement (with regards to the effect on Newfields Farm). It is considered that these are all neutral matters in the overall balance.

8.6 The requirement to tackle the effects of climate change and move towards a net zero future is an international, national and regional priority. The case is compelling, as set out earlier, and need not be fully repeated. A primary component of this ambition is the decarbonisation of the energy sector. The role that installations for low carbon or renewable energy technologies which contribute towards this, regardless of their scale, cannot be underestimate. Battery storage is one such technology which is essential to meeting these targets. As evidenced by the swathe of national documents produced by central Government, it is clear that battery storage has a critical role in achieving net zero. The development would allow for greater flexibility in the energy system in allowing for supply and demand to be more effectively managed leading to a more efficient energy system. As such, the proposed development would contribute towards moving towards net zero and would deliver clear environmental, social and economic benefits in this respect. This is a matter which attracts substantial weight in the overall balance.

8.7 Furthermore, it is evident that there are policies within the adopted Local Plan (SS10 and SD2), which are supportive of the proposed development, in principle. Furthermore, national policy contained within the Framework (including its emerging draft) are supportive of developments of this nature. This planning policy support for the proposals needs to also be weighed into the balance.

8.8 In terms of BESS itself, there is a specific need to increase energy storage capacity. Energy storage capacity in the UK is currently understood to be 4.7GW, with 2050 targets of up to 36GW (as suggested by National Grid - FES). The proposed development at 99.9MW would clearly make some contribution towards achieving these targets. This, in itself, is a benefit of the scheme which attracts significant weight in favour of the development.

8.9 Crucially, the location of the site lies *immediately* adjacent to the Cellarhead substation complex. This direct access means that the scheme can be implemented without the need for additional significant overground or underground infrastructure. It is considered that this is an optimum location for a development of this nature, whilst also limiting the wider environmental effects on the landscape. Furthermore, the applicants also have a connection agreement with National Grid. The development therefore is not speculative and can delivered in a reasonable timeframe. The optimum location of the site itself, along with the commitment to connect, also attract significant weight in favour of the development.

8.10 The scheme would deliver a habitat Biodiversity Net Gain of 15.49%, and a hedgerow gains of 99%. These figures would greatly exceed the current national target for BNG, which are not applicable to this development. Further, LP policy only requires the delivery of an unspecified level of net gain. Such ecological enhancements which arise from the development are a benefit of the development which attract modest weight in favour of the development.

8.11 There are also more modest wider ranging benefits of the development in terms of creating a jobs during construction, and through the operation of the site, the knock-on investment into the area, assisting the rural economy through allowing the farmer to diversify, along with the temporary nature and reversibility of the development.

8.12 When considered together, the policy support, along with the environmental, social and economic benefits of the development are substantial. It is therefore considered that there are other considerations which, when considered together, would clearly outweigh the harm to the Green Belt and that of the landscape.

8.13 Accordingly, it is considered that very special circumstances exist. Therefore, the proposal is considered to comprise sustainable development under the terms of the NPPF, and is in general conformity with the Policies of the Staffordshire Moorlands Local Plan 2020 when considered as a whole. The application is therefore recommended for approval.

9. RECOMMENDATION

That approval be GRANTED subject to the prior completion of a legal agreement for the cessation of Newfields Farm as a dwelling, and subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

- 2. Subject to compliance with the requirement of any other condition, the development hereby permitted shall be carried out in accordance with the following approved plans:**

P23-0415_EN_02 – Rev D – Site Location Plan

P23-0415_EN_02 – Rev D – Site Location Plan (Aerial)

PLS - NP - FT - TS – 01 to 08 – Topographical Survey

88-10-05-PL-FG – Rev R.04 - Proposed Fence and Gate Details

88-10-05-C-PL-EQ-01 – Rev R.04 - Plan and Elevations of DNO Control Building

88-10-05-C-PL-EQ-02 – Rev R.04 - Plan and Elevations of DNO Storage Container

88-10-05-P-PL-EQ-03 – Rev R.05 - Plan and Elevations of BESS Units and MV SKID Solution

88-10-05-P-PL-EQ-04 – Rev R.04 - Plan and Elevations of Storage Container and Auxiliary Transformer

88-10-05-P-PL-EQ-05 – Rev R.04 - Plan and Elevations of Customer Switchgear Building

88-10-05-P-PL-EQ-06 – Rev R.04 - Plan and Elevations of Customer Control Building

88-10-05-P-PL-EQ-07 – Rev R.04 - Plan and Elevations of CCTV Camera Column

88-10-05-PL-SS-ELV-01 – Rev R.05 - Elevations and Sections of 132kV Metering Substation

88-10-05-PL-SS-ELV-02 – Rev R.04 - Elevations and Sections of 132kV Metering Substation

88-10-05-PL-SS-ELV-03 – Rev R.04 - Elevations and Sections of 132kV Metering Substation

E14509 XX XX DR C 11001 – Rev P12 – Acoustic Bund and Details

E14509 XX XX DR C 11002 – Rev P09 – Cut and Fill Plan

88-10-05-PL-LA-OA – Rev R.11 - Overall Site Layout

C21133-ATP-DR-TP-001 – Rev P05 – Proposed New Site Access and Access Tracks

C21133-ATP-DR-TP-004 – Rev P02 – Swept Path Analysis Using 8m Long Fire Appliance

P23-0415_EN_0007_F_0001 – Strategic Landscape Planting Plan

P23-0415_EN_0008_H_0001 – Illustrative Landscape Sections

3. Notwithstanding the submitted details, no development shall take place until such time that full details of the following have been submitted to and approved in writing by the Local Planning Authority:-

Acoustic, palisade and paladin fencing

Hard surfacing, including materials and colour finish

Facing materials of all ancillary structures, including finished colour

The development shall be carried out strictly in accordance with the approved details. All acoustic fencing shall be erected prior to first operation of the site.

Reason:- To protect the character and appearance of the area, residential amenity, flood risk and biodiversity

Construction & Demolition Impacts

4. During the construction phase the following must be adhered to at all times:-
- a) Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
 - b) No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority;

c) Any generator used during the construction phase should be suitably enclosed and attenuated so it is inaudible inside any neighbouring residential property.

Reason: To protect the amenities of the area during construction

Construction & Demolition works: Time of operations

5. All construction works and deliveries shall be restricted to the following times of operations:
- a. 08:00 - 18:00 hours (Monday to Friday);
 - b. 08:00 - 13:00 hours (Saturday); and,
 - c. No working is permitted on Sundays or Bank Holidays.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

Report of Unexpected Contamination

6. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

BS4142 Limit on external noise levels produced by fixed external plant

7. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels 36dB La90 between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level 30 dB La90 between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-

sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

Maintenance of Batteries

8. All equipment and infrastructure associated with this development must be constructed and maintained throughout the life of the development so as to prevent any discharges or spillage that may cause pollution of the surrounding land, underground strata or watercourses.

Reason: To prevent pollution of the Environment

External Lighting

9. Details of floodlighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and subsequently installed as approved.
Reason: To protect the local amenities of the local residents by reason of excess of luminance.

Construction Traffic

10. The provisions of the submitted and approved Transport and Access Statement shall be adhered to throughout the construction period.

Reason: To comply with NPPF Paragraph 114; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety; to carry out the works with a minimum of disruption to local residents.

Archaeology

11. A) Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication.
B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A).

C) The development shall not be brought into use until the site investigation and post excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To protect archaeological interests.

Landscape/Visual Impact

- 12. Notwithstanding the submitted details, no development including site clearance and levelling shall commence until such time that a detailed hard and soft landscape mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Strategic Landscape Planting Plan (P23-0415_EN_0007_F_0001) and be at an appropriate scale. For the avoidance of doubt, the landscaping shall include additional structural landscaping between the development and the public right of way to the east and south. The development shall subsequently be carried out strictly in accordance with the approved details. The soft landscape proposals approved shall be implemented in the first growing season after construction has commenced and replacement of dead, diseased or dying stock should be undertaken in accordance with the Landscape Maintenance and Management plan to be approved under Condition 13.**

Reason:- To protect the character and appearance of the area and to provide screening from adjacent public rights of way.

- 13. No development including site clearance and site stripping shall take place until such time that a Landscape Maintenance and Management Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority including measures for its operation for the life of the development. The LMMP shall include for the replacement of failed stock for the first 10 years after planting. The development shall be carried out strictly in accordance with the approved LMMP.**

Reason: To reflect the importance of the soft landscape mitigation proposals for the local landscape character.

- 14. No development shall commence including site stripping and clearance until such time that a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP should include amongst other matters existing and proposed finished floor levels, full detail of the excavation and bund formation processes including detailed drawings and method statements for the proposed raised and excavated earthworks (bunds, substation area etc) and information to demonstrate that the movement of material within the site will be a neutral operation. The**

development shall be carried out strictly in accordance with the approved details. For the avoidance of doubt, all bunding shall be completed prior to first operation of the site.

Reason: To ensure that the development integrates satisfactorily into its surroundings.

15. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:- In the interests of the protection of important landscape features which contribute to the character and appearance of the area, biodiversity and protected species.

16. No development shall take place including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations or the prevailing standard and these shall be retained in position for the duration of the period that development takes place. The fencing shall be erected in accordance with the Tree Protection Plan (GWS-2220-TPP). Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity.

Drainage

17. No development shall begin until the final detailed surface water drainage design has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must be in accordance with the principles outlined in the approved Flood Risk and Surface Water Drainage Assessment Document (KRS.0612.002.R.001.G January 2024) and must further demonstrate:
- Final detailed design (plans, network details and full hydraulic calculations) of the surface water drainage scheme, the attenuation features (attenuation tank), petrol interceptor and Hydrobrake.

Calculations shall demonstrate the performance of the drainage system for the 1-year, 2-year, 30-year and 100-year return periods including an allowance for climate change.

- Final management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

- To include the named body responsible for management and maintenance of the system.

The development shall thereafter proceed in accordance with the approved details.

Reason: To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Ecology/Biodiversity

18. Notwithstanding the submitted detail, no development including site stripping and site clearance shall commence until such time that a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the Biodiversity Metric January 2024, the Preliminary Ecological Appraisal dated December 2021 and the Strategic Landscape Planting Plan (P23-0415_EN_0007_F_0001). The LEMP shall, amongst other matters, demonstrate and/or provide:

- a) Precautionary method statements for protected species during construction
- b) Details of the proposed habitat enhancement, creation and management
- c) Sensitive lighting scheme to minimise disturbance to wildlife
- d) Minimum 20m buffer zone adjacent to watercourse
- e) Details of habitat creation and species enhancements on site
- f) Updated BNG calculation using latest Defra metric and UK Habs baseline and post intervention plans
- g) Soil preparation details
- h) Appropriate planting/ seeding specifications
- i) Timescale for implementation
- j) Long-term habitat management plan

The development shall be carried out strictly in accordance with the approved LEMP

Reason:- In the interests of biodiversity enhancement and to ensure a net gain in biodiversity

- 19. Notwithstanding the submitted detail, no development including site clearance and site stripping shall take place until such time that a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. It shall set out protection and mitigation measures for protected species during construction and site establishment. The development shall subsequently be carried out strictly in accordance with the approved LEMP**

Reason:- In the interests of protected species

Site Safety

- 20. No battery unit or associated electrical equipment shall be brought on site until details of mechanisms for the maintenance of electrical elements together with an overarching Fire Safety Precaution Statement (to include an Emergency Response Plan) for the development has been submitted to, and approved in writing by the Local Planning Authority (following consultation with the Fire Authority). Thereafter, the battery storage facility shall operate strictly in accordance with the measures outlined in the Fire Safety Precaution Statement.**

Reason: In the interests of the safe and effective operation of the site operates in a safe.

- 21. The site shall be operated in accordance with the technical and safety information within the submitted Outline Battery Safety Management Plan. This shall include approaching Staffordshire Fire and Rescue Service and Severn Trent to develop a Tactical Information Record for the site; which will facilitate Fire and Rescue responders to the site with technical and tactical information about the site and best approaches in the event of a fire event. The Tactical Information Record shall include the avoidance of firefighting products (e.g. Aqueous Film Forming Foam) containing perfluoroalkyl and polyfluoroalkyl substances (PFAS) where possible. The Tactical Information Record shall be completed and approved prior to the first operation of the site, a copy of which shall also be sent to the Local Planning Authority prior to first operation.**

Reason: In the interests of the safe and effective operation of the site operates in a safe.

Protection and enhancement of public footpaths

- 22. Prior to the commencement of development including site clearance and stripping a scheme to protect and enhance local footpaths (the 'Scheme') shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:**

- a) measures to protect the public footpaths Cheddleton FP48 and Cheddleton FP60 during construction
- b) measures to improve and promote these public footpaths post construction in conjunction with Staffordshire County Council Rights of Way Officer with timescale for implementation.

The development shall subsequently be carried out strictly in accordance with the approved Scheme

Reason:- To protect and enhance the local public footpath network.

Site Restoration

23. Within 40 years following completion of construction of the development hereby permitted, or within 12 months of the cessation of operational use or within six months following a permanent cessation of construction works prior to the battery facility coming into operational use, whichever is the sooner, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than twenty-eight working days following cessation of power production. The site shall subsequently be restored to a pasture field in accordance with a scheme and timescale, the details of which shall be first submitted to and approved in writing by the Local Planning Authority no later than six months following the cessation of power production. (Note: for the purposes of this condition, a permanent cessation shall be taken as a period of at least 24 months where no development has been carried out to any substantial extent anywhere on the site).

Reason:- In the interests of the Green Belt and character and appearance of the area.

Temporary Compound

24. Prior to the commencement of development including site clearance and stripping full details of the temporary compound to be established on site shall be submitted to the Local Planning Authority for its written approval. It should include amongst other matters level information, hard surfacing, means of enclosure, earthworks/bunding and a statement ('Statement of Condition') showing the condition of the site before works begin. The development shall be carried out strictly in accordance with the agreed details and the compound provided before any work on site commences including site clearance and stripping. The temporary use of the land for the compound shall be discontinued and the land restored to its former condition on completion of the construction of the development hereby approved in accordance with a scheme of work and timescale (which shall be

based on the Statement of Condition) and which has first been submitted to and approved by the Local Planning Authority.

Reason:- In the interests of the character and appearance of the area and amenity of nearby residents.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

