

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 12th December 2024

Application No:	SMD/2024/0055	
Location	Land south of Cellarhead Substation and west of Rownall Road, Wetley Rocks, Staffordshire	
Proposal	Erection of a Flexible Energy Facility, associated works, landscaping and habitat creation	
Applicant	S & C Energy Limited	
Agent	Mr Jake Stentiford, Surface Planning	
Parish/ward	Cheddleton	Date registered 13 th February 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

GRANT DELEGATED AUTHORITY to the Head of Development Services in consultation with the Chairman to APPROVE, subject to conditions and confirmation of no outstanding objections from Environmental Health, any other conditions suggested by Environmental Health

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site relates to eight agricultural fields which extends to an area of 22.4hectares. The site is located within the open countryside and within the Green Belt, as defined by the Local Plan Policies Map.

2.2 The topography of the site drops gradually from south to north by approximately 10m (circa 250 – 240 AOD). The site has an irregular field pattern with field boundaries throughout the site generally defined by native hedgerows. Beyond the northern boundary of the site is the large complex of the Cellarhead substation with overhead powerlines and pylons crossing the site and wider surrounding landscape. A mature belt of landscaping surrounds the southern edge of the substation. To the east of the site are a number of agricultural, commercial and domestic buildings located in and around Wayfields Farm and Grassey Lane Farm. The site is also adjoined by agricultural fields to the north, west and south. The surrounding landscape is generally open and pastoral with a gently undulating topography, with informal field pattern, scattered farmsteads and dwellings.

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. The site is also accessed off a track from Rownall Road to the south. Two PROWs, cross the fields (Cheddleton 58 and 59). A PROW (Cheddleton 60) runs along the access road to Cheddleton substation, while a PROW (Cheddleton 49) runs along the access road to the south (from Rownall Road).

2.4 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 900m 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 0.1km to the north of Werrington, when measured from the southern access track, and 1.3km to the west of Wetley Rocks.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application which seeks consent for the construction of a flexible energy facility, with associated infrastructure and landscaping.

3.2 The scheme proposes a facility which would include 248 no. battery containers, 62 no. transformer units, 124 no. inverter units, 4 no. switchrooms, a switchgear container and a self-contained substation within a secure acoustic fence enclosure. The installation would have an installed capacity of 400MW allowing for greater flexibility within the grid.

3.3 The battery containers would be arranged in groups of 4, with a 6m separation between each group. The containers, transformer and inverter would be arranged in rows, set on concrete plinths. The switch rooms, control room and substation would be sited at the northern end of the site.

3.4 A 4m high acoustic fence is proposed around both the BESS and substation compounds. Two 3m tall water tanks would also be provided, 1m of which would be buried. 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 with new access road into the site provided. A separate emergency access would be provided from the track to the south. Both access roads would be constructed from geogrid (or similar material), and backfilled with grass-seeded soil. Internally, a 6m wide perimeter track providing circulation through and around the complex.

3.6 A bund is proposed around all sides of the compound. The bund is shown to have an external facing height of 2m above ground levels. The construction of the facility would require elements of cut and fill to reduce the internal land levels, while the substation enclosure would be set 5m below the internal ground level.

3.7 Landscaping of the site would include a new native woodland, including glades, extending to 4.54ha which would be provided between the facility and Rownall Road. Two ponds are proposed to the south of the facility which would provide aquatic habitat, planted with reed beds and would also serve as drainage attenuation. 4.07 hectares of wildflower meadow would be provided across the site while 1607m of native hedgerow along with trees across the site is proposed to be provided. The scheme proposes a diversion of two public rights of way which cross the site. The revised routing would be provided through the newly created habitats and outside of the bunding.

3.8 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.

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

- Planning Statement
- Arboricultural Impact Assessment
- Historic Environment Desk Based Assessment
- BNG Biodiversity Impact Assessment
- Preliminary Ecological Appraisal
- Flood Risk Assessment and Drainage Strategy
- Landscape and Visual Appraisal
- Acoustic Design Specification
- Access Strategy and Construction Traffic Management Plan

3.10 During the course of the application, the proposals have been amended and additional information provided in response to consultee comments and planning officer queries. An amended layout has therefore been provided which details fire safety water supply requirements and to provide additional landscaping and design amendments at the site entrance. The following additional and updated documents have been received:

- Battery Storage Safety Management Plan (received May 2024)
- Technical Advice on the Need for the Proposed Location (received May 2024)
- Agricultural Land Classification Report (received October 2024)
- BNG Biodiversity Impact Assessment – Rev 1 (received October 2024)
- Ecological Impact Assessment (received October 2024)
- Written response to Staffordshire Wildlife Trust comments (received October 2024)
- NatureSpace Report (received November 2024)
- Letter from Noise Consultant in response to Environmental Health Officer informal comments (received November 2024)

3.11 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 Application - Staffordshire Moorlands District Council

Environmental Impact Assessment

3.12 During the course of the application the Council screened the application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Council took the view that the application would be EIA development and therefore requiring an Environmental Statement.

3.13 The applicant subsequently sought to obtain a screening direction from the Secretary of State (SoS). On 19th September 2024, the SoS confirmed that they did not consider that the proposal would be likely to have significant effects on the environment and therefore that the development is not EIA development. The detailed comments of the SoS can be found on the application on the Council's website.

3.14 In light of the above, the application has proceeded under the usual application process for major development.

3.15 The link below to the Council's website is where the detail of this application can be viewed.

[Planning Application - Staffordshire Moorlands District Council](#)

4. RELEVANT PLANNING HISTORY

4.1 There is no, on site, planning history which is relevant to the application. However, there are a number of applications within the surrounding area which are relevant:

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 Allowed

Land at Newfields Farm

SMD/2024/0019 - 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 – Refused – 27/09/24

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

Planning Practice Guidance
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)
National Fire Chiefs Council – Grid Scale Battery Energy Storage System planning (November 2022)

6. CONSULTATIONS CARRIED OUT

Site notice	Expired
Neighbour letters	Expired
Press notice	Expired

Public Comments:

161 representations of objection received (as of 29th November 2024). The comments can be summarised as:

- Size and negative impact
- Impact on wildlife and habitat – foxes, hares deer, partridge, barn owls, curlews, bats, lapwings
- Loss of green belt – inappropriate development, harm to openness, should be built on only in special circumstances, should be protected at all costs
- Traffic on narrow heavy road – not suitable for HGVs
- Fire risk, explosions, thermal runaway, toxic clouds and risk to public safety – examples of incidents elsewhere
- Noise pollution and disruption – noise report inadequate
- Cumulative effect of developments
- Disproportionate size
- Needs greater independent scrutiny
- Pollution risk
- No pavements for pedestrians
- Should be no access along emergency access
- Destruction of landscape
- Massive visual impact
- Effect on tourism

- Effect on heritage sites
- Area of outstanding natural beauty
- Avoided secretary of state scrutiny
- Attract criminal activity – rural crime
- Light pollution and fencing unattractive
- Area is agricultural not industrial
- Access road inadequate
- Water drainage into fields
- Water will not extinguish batteries
- Neighbouring business contains highly flammable workings
- Impact on farming/loss of farm land
- Water affecting water table
- Loss of outlook
- Area used for leisure and recreation – impact on walking routes
- No jobs or opportunities
- Traffic danger to school children
- Footpath should not be diverted
- Lack of fire report and environmental report
- Will be visible for miles
- Huge industrial complex in rural area
- Not a renewable scheme
- Bunding will have a significant effect in itself
- Capacity would not be as suggested, benefits over estimated
- Director of applicant is related to elected member
- Profiteering
- Disruption to trees and hedges
- Close to Wetley Moor Common SSSI
- Will affect enjoyment of countryside
- Question sourcing of batteries
- No community benefits
- Impact on nearby businesses
- Delays on grid connection
- Contrary to Local Plan and NPPF
- Should be on brownfield site – other sites should be considered
- Health risk from emissions
- Will not be able to insure homes/businesses
- Next to Churnet Valley Masterplan area
- Contravenes Human Rights
- Doesn't comply with NFCC guidance
- Concern for horse riders
- Fire safety strategy inadequate
- Impact on safety of users of adjacent business
- Too close to residents

A critique of the noise report has also been provided as an objection from a neighbouring property. The critique is prepared by a noise consultant and raises concerns that matters relating to noise have not been adequately addressed due various inadequacies and short comings.

1 representation of support received raising no comments.

Consultation Responses

A summary of the consultation responses received are provided below.

Cheddleton Parish Council

Referral, due to incomplete information as there is no environmental officer report or fire risk assessment and the residents have grave concerns because of the number of applications in this area and lack of information

Werrington Parish Council

Objection - there is concern regarding the cumulative effect of other proposals for both solar farms and associated battery storage facilities, which are currently under consideration. This will represent a massive industrial complex some 1,000m from residential properties in our parish and surrounding areas, and the loss of agricultural greenbelt and its detrimental effect on the rural landscape

Inappropriate development in Green Belt – loss of openness and conflict with purposes. Both individually and cumulatively. Benefits are insufficient to outweigh.

Prominent intrusion into the countryside, infrastructure of industrial appearance, not in keeping with distinctive landscape character. Not closely associated with Cellarhead Substation.

Much closer to residential area than others. Would harm safety and attractiveness of the environment. Will impact amenity of residents through visual intrusion, noise and lighting.

Batteries at risk of fire, explosion and/or pollution. Need to consider residential area 400m away and acknowledge dangers. Including multiple developments in small area.

Cumulative noise effect.

Effect on nearby SSSI

Visual impact for residents living adjacent to the site boundary

Negative impacts on landscape character

Extensive traffic and transport impact

Noise and vibration impact

SMDC – Environmental Health

To be provided by update

SMDC – Regeneration Services

The planning application states 'The operation of the site will be undertaken remotely, and no staff are required to be present on the site'. As such, there are no employment benefits to be assessed.

AES – Waste

No issues regarding waste collections

Staffordshire County Council – Minerals and Waste

Development that is temporary or easily removed, and involves minimal disturbance of the ground, such as poly tunnels, caravan parks, solar panels, or battery storage facilities, is unlikely to create a significant safeguarding issue.

The application site falls partially within an MSA for both Silica and Bedrock Sand. However, as referred to in your planning statement, p.33; the proposals is subject to our standing advice (see above) as the development is of a temporary nature.

Staffordshire County Council – PROW Officer (Initial comments)

We are unable to comment on this application as, although the applicant has indicated that there are rights of way crossing the application site, they are shown incorrectly on the plans and/or incorrectly described in the documents. (Can the rights of way also be labelled on the plans, please? E.g Cheddleton 59 etc)

Staffordshire County Council – PROW Officer (Further comments)

The Definitive Map of Public Rights of Way for Staffordshire shows public rights of way crossing the application site, a public right of way running along the access road to the north and along the proposed emergency vehicle access to the south adjacent to the boundary.

From the information submitted, it would appear that all these public rights of way are directly impacted by the proposals. Our formal response is that we ACCEPT this application subject to the following:

That the following information should be brought to the attention of the applicant and noted in the planning consent if granted: Public rights of way Footpath Nos. 58 and 59 Cheddleton Parish run across the application site – F.P. 58 diagonally and then westward from the northern boundary of the site to the western edge and F.P. 59 from F.P. 58 eastwards to the boundary of the site, continuing through Grassey Lane Farm to Rownall Road. Public right of way Footpath No. 60 Cheddleton Parish runs along the access lane to the application site (occupying the full width of the lane between boundaries). Public right of way Footpath No. 49 Cheddleton Parish runs along the proposed emergency access track to the application site (occupying the full width of the track between boundaries), adjacent to the

application site along the southwestern boundary to Rownall Road. It is essential that Footpath Nos. 58 and 59 are diverted in order to fulfil the aims of the application.

The applicant has indicated proposed diversion routes on the replacement Footpaths Plan submitted on 23rd April however, the proposed diversion route running southwest from F.P. 59 runs through a pylon which is unacceptable.

This route must be altered to go around the pylon at a distance of at least 5 metres on all sides. Failure to divert Footpath Nos. 58 and 59 and not altering the proposed diversion route which runs through the existing pylon, will lead to the obstructing of the public rights of way.

The granting of planning permission does not constitute authority for any interference with the public rights of way and associated items - or 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.

As the public rights of way need diverting as part of these proposals, the developer must apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the public rights of way to allow the development to commence. For further information the applicant must read section 7 of DEFRA's Rights of Way Circular (1/09). In such an instance it is also strongly suggested, in order to avoid unwanted complications, that guidance should be sought from Staffordshire County Council as Highways Authority, regarding the exact position of the Public Right of Way shown on the Definitive Map. Users of the path must be able to exercise their public rights safely and at all times, and the paths 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. This must be reflected in appropriate warning signage both during the construction and once the site is complete, should this application be granted. This needs to be in place on both Footpath Nos. 60 and 49. In the absence of private rights, driving a vehicle on a public right of way is a criminal offence. Should this planning application be approved and any right of way require a temporary diversion, please see the County Council website for guidance and an application form. Staffordshire County Council has not received any application under Section 53 Wildlife and Countryside Act 1980 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

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 Assessment & Drainage Strategy Report for Land West of Rownall Road, Cheddleton (December 2023).

The drainage strategy outlines that the main site will be drained to an ordinary watercourse located on the south-western boundary at a maximum rate of 30.1 l/s which is the calculated Q/Bar greenfield runoff rate for the land under development.

To achieve a restricted outflow, the outline drainage plan includes an attenuation basin providing approximately 3,300m³ of storage. Due to the topography of the site, a pumped outfall is required to discharge surface water from the attenuation pond to the ordinary watercourse.

For reasons of fire safety, a second pond has been designed in the scheme to provide water for fire suppression and this feature shall always remain separate from the attenuation basin which is for the purpose of attenuation provision only.

We have no objection to the application at this stage subject to the pre commencement condition being attached to any planning permission, to ensure that the full detailed drainage design (including management and maintenance plan) is submitted for review.

Staffordshire County Council - Highways

No objection subject to conditions

Application is for a flexible energy facility adjacent to Cellarhead Sub station.

Access routes are defined in the Access Strategy and CTMP. This is the most obvious route and links to A52 by the shortest route. Swept path included on drawing VN232860 TR100 do not show vehicles negotiating the junction of Rownall Road with the private access track. However, the alignment of the junction, access and egress routes from/to A52 and previous applications indicate that access for HCV's through this junction is possible.

Vehicles should enter and exit 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 is suggested pre and post construction to record the condition of the highway. 300 additional HGV movements are anticipated over the 6 month 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. Measures listed in condition above should be able to be provided comfortably away from the highway. There is reference in the current CTMP to wheel wash which is appropriate but consideration of road sweepers in case mud etc is brought onto the highway would be beneficial.

300 additional vehicle movements over 6 months could not be considered severe.

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

Nature Space

Further Information Required - In line with the submitted ecological report and guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either: - Demonstrate that any impacts to great crested newts can be covered by one of the available licensing options including District Licencing as recommended in the ecological report (see 'great crested newt licensing options' below for further details). - Provide further information (eDNA surveys of ponds within 500m), in line with Natural England's Standing Advice, which may be able rule out impacts to great crested newts.

Natural England

NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Staffordshire Wildlife Trust (initial comments)

SUMMARY – Having reviewed the information provided we have a **holding objection** – further information required:

1. Detailed protected species surveys and assessments should be undertaken at the appropriate time of year and conforming to published guidance, to include great crested newt (GCN), breeding birds, wintering birds and water voles and/or details of an alternative suitable approach (such as District Licensing Scheme for GCN, where feasible and appropriate).
2. Clarification is requested on which trees were closely inspected using ladders and which were subject only ground level assessment with binoculars, with a plan to show location and classification of all trees assessed with categories to follow Collins 2023. In addition, those trees to be directly or indirectly impacted should be clearly identified (cross-referenced to the Arboriculture Survey).
3. The proposed scheme removes numerous sections of hedgerow and several trees. The potential impact of this should be more fully addressed with regards to potential impacts on local bat populations.
4. Cumulative impacts should be assessed and reported.
5. In the light of the above, the impact assessment should be updated to include the potential impacts on protected species and habitats and follow the Ecological Impact Assessment (EclA) guidance of CIEEM 2018 (updated April 2022).
6. Review and update the BNG assessment in the light of the presence of any European Protected Species (EPS) on the site once surveys completed (as this may impact upon the outcome of the BNG assessment).
7. A full copy of the completed Statutory Metric is required, ideally as the original Excel spreadsheet (only the Headline results are presented in the report).

Staffordshire Wildlife Trust (further comments)

Having reviewed the further information, whilst we welcome the further details relating to protected species surveys and Ecological Impact Assessment provided, we maintain a **holding objection** – further information required:

1. An updated BNG Metric and/or BNG Biodiversity Impact Assessment which presents consistent information between the two documents should be provided.
2. Further evidence is required to support proposed mitigation for ground nesting birds.

Ramblers Association

There are a number of footpaths that could be affected after development has taken place. P.R.O.W Cheddleton 49,58,59, and 60 must stay accessible at all times

Peak and Northern Footpaths Society

No development should take place until a Diversion Order has been confirmed, and the diversion route, with a satisfactory surface and adequate width and marking, is available for public use. We would expect that the safety of users of the PROWs is fully investigated, especially with regard to electro magnetic fields, high voltages, and physical structures. Use of the PROWs, and the safety of users must not be affected by the development, nor during the work taking place

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](#)

Staffordshire Fire and Rescue Authority (Further Comments)

SFRS now have no objections subject to the following planning conditions:

1. No battery unit or associated electrical equipment shall be brought on site until details of mechanisms for the maintenance of electrical elements together with and overarching fire safety precaution statement, for the development has been submitted to, and approved in writing by the Local Planning Authority (following consultation with the Fire Authority). This statement should be guided by the “Grid scale battery energy storage system planning – Guidance for Fire and Rescue Services’ published by the National Fire Chiefs Council (NFCC). Thereafter, the battery storage facility shall operate in accordance with the measures outlined in the fire safety precaution statement.

2. The site shall be operated in accordance with the submitted BESS Fire Strategy (received [insert date]). This shall include agreeing an Emergency Response Plan for the site with Staffordshire Fire and Rescue Service to 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 Emergency Response Plan shall include the avoidance of firefighting products (e.g. Aqueous Film Forming Foam) containing perfluoroalkyl and polyfluoroalkyl substances (PFAS) where possible. The emergency response plan shall be agreed prior to first operation of the site and shall be maintained for the lifetime of the development

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 flexible energy system which includes a series battery containers, transformer units, inverter units, switch rooms, switchgear container, substation and other associated infrastructure. 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 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 considered that the development does not meet any of the exceptions for development in the Green Belt set out in 154 and 155 and would represent inappropriate development. In such circumstances, it is also necessary to consider the harm that the development would cause to the openness of the Green Belt and the purposes of including the land within the Green Belt. The Local Planning Authority must then consider whether there are any “very special circumstances” to outweigh this harm and the harm to the Green Belt by way of inappropriateness.

7.11 The 2024 draft consultation of the Framework does not materially alter the Green Belt policies insofar as they are relevant to the consideration of this 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 fields within which the development would be located have an agricultural character with no built form (with the exception of overhead pylons). The absence of buildings and agriculture character of the site means that the area is therefore characterised by its openness. The proposals would result in above ground installations covering a large area of the site. This would include the installation of a substation, the battery containers, inverters, other ancillary buildings, lighting, fencing, and bunding. The spread, scale, heights and nature of these proposals are such that there would be an inevitable 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, overhead power lines and extent of landscape mitigation. 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. The Green Belt Review Study (2015) identifies that the site lies within parcel C8 which has an overall “contribution” towards the purposes of including the land in the Green Belt. The study goes on to identify that the area serves a “contribution” to safeguarding the countryside from encroachment, albeit it has “little contribution” in respect of the other purposes.

7.17 As outlined above, the land relates to open fields, and the extent of the site boundary is significant. The absence of development on the site, along with its agricultural use, means that the site has an intrinsic countryside characteristics. The large proportion of the site 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. 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. The proposal is therefore harmful to the Green Belt by way of inappropriateness and other harm.

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 also 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 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. 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 applicants have suggested that within a 60km radius from Cellarhead GSP, there are no other substations with sufficient electrical headroom to connect any battery storage facility of strategic scale. Other substations would either require expansion, have limited scope to expand while others have no potential to connect prior to the 2030's. Further technical information has been provided to support the applicants position in this regard. They have confirmed that they have a connection offer in place with the National Grid for 400MW. Providing a connection to Cellarhead further away would lead to inefficiencies and transmission loss. The direct and convenient proximity of the development to the grid is therefore considered to result in an optimum location for the delivery of energy storage. Location is a factor which is highlighted by the PPG and other supporting documents as being an important consideration. Therefore, there is a strong argument to suggest that using the available headroom at Cellarhead, in a location which is close to the site, would be essential to meeting targets and for achieving future energy security.

7.53 Energy storage capacity in the UK is currently understood to be around 4.7GW and there are 2050 targets to provide capacity of up to 36GW (as suggested by National Grid - FES). There is a clear existing under provision of battery storage. The proposed BESS scheme is designed to have a storage capacity of 400MW which has the capability to absorb or release energy from the network as and when is needed and has the capability of supplying 5.5million homes with renewable energy over its lifetime. The storage capacity of the site is significant 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 providing grid security, and providing the development in an optimum location, weighs substantially 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 21.7ha which is not insignificant. The application has been supported by an Agricultural Land Classification report which identifies the ALC of the site. The report has been informed by desk top study of the relevant information, and a detailed survey of the soil properties at 27 auger bore locations across the site.

7.59 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.

7.60 The table below, is taken from the ALC Report which confirms that 100% of the land is Grade 3b. The application site therefore relates to land which is not classified as being BMV.

ALC Grade	Area (Ha)	Area (% of Total Site)
Grade 1 (Excellent)	0	0
Grade 2 (Very Good)	0	0
Subgrade 3a (Good)	0	0
Subgrade 3b (Moderate)	21.7	100
Grade 4 (Poor)	0	0
Grade 5 (Very Poor)	0	0
Non-agricultural / Other land	0	0
Total	21.7	100

7.61 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, although it is acknowledged that the scheme includes large areas of landscaping including new

woodland. 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.

7.62 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.

7.63 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

7.64 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.

7.65 The site relates to eight agricultural fields within a predominantly rural area extending to a total of 22.4hectares. The fields are generally rectangular in shape in irregular pattern. The fields’ boundaries are a mix of timber post and rail fencing, agricultural mesh and native hedges. To the 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 fields, and the site itself, connecting to the sub-station. These add further industrial components to the landscape. The site is accessed via a track from Rownall Road to the east which serves Newfields Farm and the Cellarhead substation. A number of PROW cross the site and surrounding landscape.

7.66 The proposal includes the installation of flexible energy storage infrastructure which would be sited predominantly to the north, west and central areas of the site boundary. The main pieces of infrastructure comprise 248 no. battery containers, with associated transformer units, and inverter units arranged in rows. While a substation in a separate compound is also proposed. Other associated infrastructure includes switchrooms, a switchgear container and acoustic fencing enclosure. Hardstanding would be laid to provide the points of access from the adjacent tracks for the main entrance and emergency access from the south. These access routes would be constructed from geogrid (or similar material), and backfilled with grass-seeded soil. Internal access routes are also proposed. Land levels within the complex would be lowered with a screening bund

is proposed to around the perimeter of the complex. The scheme also includes a significant amount of landscaping to include a woodland between the complex and Rownall Road within the north eastern parcel of the land, new and improved hedgerows throughout the site, and ponds set within complementary landscaping. These would also act as biodiversity enhancements, while the ponds would also serve additional functions for surface water drainage and fire water run off.

7.67 In plan form, the proposed development would project beyond the southern extremities of the Cellarhead substation complex and beyond its southern landscaped buffer. In this regard the site would be closely related to this existing infrastructure. The installations proposed are similar in nature to those which are housed at Cellardhead substation and would therefore, visually, be viewed against similar development. However, the scale of the proposal is significant with the installation occupying a large proportion of the site. Notwithstanding the coverage of the installation, 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 Appraisal (LVA) which considers the visibility of the site and landscape sensitivity. The LVA goes on to assesses the potential landscape and visual effects of the proposed development, including an assessment of potential visual receptors of the development and an analysis from 9 potential viewpoints.

7.70 In terms of the landscape and visual effects, the LVA concludes that there would be:

- An initial Moderate/Minor significance (adverse) within the Site and extending up to 0.2km from the Site boundary. Over a period of 5-10 year, the scale of effect would reduce both within the Site and beyond its boundaries. Beyond this timeframe there would be a residual effect of Minor significance (neutral) on the character of Ancient Plateau Farmlands.
- From PROW Cheddleton 58, 59 and 60 In the Medium-term there would be a Substantial/Moderate magnitude of change and Major/Moderate adverse effects. Following the establishment of mitigation planting, in the long term

there would be a Moderate magnitude of change and Moderate adverse effects.

- Effects would remain Major/Moderate (adverse) from a very limited section of Cheddleton 60 by the Site's main access where there would be a break in the mitigation planting along the boundary (NB. Additional landscaping has now been proposed)
- Temporary short-term Moderate (adverse) effects would also be experienced during construction from the PRoW network defined
- There would be glimpsed views from farmsteads and residential properties located on Rownall Road and along the private road / Cheddleton 49 to the south of the Site. Where views are not screened by intervening built form and/or amenity planting. Magnitude would be Slight/Negligible and effects Minor.

7.71 The Council has sought the views of a Landscape Consultant (Stuart Ryder). He considers that the proposals will effectively turn a collection of pasture fields into an industrial development within a wooded landscape. The scale of the proposals will be judged at the same strategic or major scale in the landscape as the Cellarhead substation complex. He considers that the change (to the site itself) can only be classified as a Major, Adverse and Permanent effect that is an inevitability of development, and this is not in keeping with the pastoral landscape character of the Ancient Plateau Farmland.

7.72 He acknowledges that the scheme incorporates three landscape mitigation measures to try to assimilate the development into the landscape, including woodland planting, land level manipulation and bunding. Therefore, from the wider receiving landscape he considers that the effects at year one and at year 15. He considers that:

- From the North in the context of the Cellarhead Sub-station – Moderate Adverse at Year 1 reducing to Minor Adverse at Year 15.
- From the East would include a 2.5 Ha of screen woodland and beyond that the buildings of Rownall Road - Moderate Adverse at Year 1, changing to at Moderate/Minor Beneficial at Year 15 with the ongoing development of woodland to this side of the proposals.
- From the South – Moderate Adverse at Year 1 with the rawness of the new earth works and attenuation ponds, changing to Moderate Beneficial at Year 15 with the benefit of the complimentary planting and SuDS ponds within the scene;
- From the West where other pasture fields lie – Major / Moderate Adverse at Year 1 with scale of visible earth works and sense of change reducing to Minor Adverse with the formation of the boundary hedgerow and wildflower bunding.
- The effects on the landscape character of the contextual area can be amalgamated as Moderate, Adverse at Year 1 reducing with the establishment of the boundary planting to Minor/Moderate, Beneficial by Year 15.
- The overall long-term residual landscape effect of the use of these eight fields being put to a BESS on the wider landscape is Moderate/Minor, Adverse and Permanent for the duration of operation of the equipment.

7.73 With regard to the visual effects, he makes the following observations and conclusions on the effect on the PROW network:

- Cheddleton FP58 (at east of site through new woodland) – users would have a medium sensitivity which, combined with a Large magnitude of effect, would lead to a Major/Moderate, Adverse significance of effect at Year 1. At Year 15 there would be no visibility to the BESS or its bund but a total replacement of views across the open pasture fields to walking in a young woodland. This is considered to a Major/Moderate, Neutral and Permanent effect.
- Cheddleton FP58 (at south of site – diverted route) - The overall amalgamated effect for walkers on FP58 is considered to be Major/Moderate, Adverse at Year 1 reducing to Moderate/Minor, Adverse at Year 15 following landscaping through site and around attenuation ponds.
- Cheddleton FP59 (to east of site) – users would have a medium sensitivity which, combined with a Large magnitude of effect, would lead to a Major/Moderate, Adverse significance of effect at Year 1. With the planted bund screening to the north and woodland meadow at Year 15 this would diminish magnitude to a Medium/Small magnitude leading to a Moderate/Minor, Adverse at Year 15 visual effect.
- Cheddleton FP48 (140m away to west) – users would have a medium sensitivity and the magnitude of effects at Year 1 will be Medium/Large resulting in an initial Moderate, Adverse significance of visual effect. The bunding and planting would help to screen views but not necessarily remove from sight. Therefore with the Medium sensitivity, combined with a Medium magnitude of effect the resulting significance of visual effect still remains at Moderate, Adverse and Permanent at Year 15.
- Cheddleton FP60 (along access road) – users would have a medium sensitivity and the magnitude of effects at Year 1 will be Large resulting in an initial Major/Moderate, Adverse significance of visual effect. The magnitude of effect would decrease to medium following landscaping resulting in a Moderate, Adverse and Permanent effect for the duration of the operations.
- From PROWS to the south and west the proposals will likely be read as an extension to Cellarhead Sub-station whose taller elements are visible behind this Site. From the wider landscape the planted acoustic bund will introduce a further block of woodland planting into the scene and assist in disrupting views to the lower equipment at Cellarhead. However it would not block out sight to the pylons that emanate from it. For Medium/High sensitive path users to the south and west the magnitude of change would be Small/None leading to a Minor, Positive and Permanent effect as long as the planted bund remains.

7.74 He acknowledges that the sensitivity of residential receptors is high. The magnitude of effect at Year 1 would be Medium with the bund and general disturbance of the installation evident across the intervening field resulting in a Major/Moderate, Adverse significance of effect. Following the establishment of landscaping the resulting effect would remain at a Major/Moderate scale but is

considered to be Neutral in terms of type of effect and Permanent for the duration of the operational period.

7.75 Some design amendments have been suggested by the Landscape Consultant to reduce the visual effect of the development. These include, measures for the profile and gradient of the bund, along with more sympathetic landscape detail; measures to improve views into the site from the entrance, including partially burying water tanks and additional landscaping; alignment of diverted PROWs; breaking up the top line and varying the colour of noise barrier; and various suggestions regarding landscaping across the site.

7.76 Following receipt of these comments the applicants have partially buried the water tanks and provided additional trees and hedgerow planting around the site entrance. Such measures would reduce the effect of the development from PROW 60. It is considered that matters relating to site levels, fencing design/colour, and detailed landscaping across the site could be secured via condition.

Cumulative effects

7.77 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.



7.78 This includes two BESS schemes (sites 1 and 2) to the east of the Cellarhead Substation which have extant approval (Refs: SMD/2022/0444 and SMD/2022/0548). A scheme for BESS (site 3) at Armshead Farm (SMD/2022/0574), located to the west, was refused but has recently been allowed at appeal. A further scheme for BESS (site 4) at Newfields Farm (SMD/2024/0019) was refused at Committee, no appeal has been lodged to date. Site 7 relates to land at Greenfields Farm which has been subject to a screening opinion. A large solar farm development to the north (site 6) is also under consideration and yet to be determined (SMD/2023/0523). The application site lies at site 5 to the south of the Cellarhead substation. A further screening opinion for a BESS development has been given at land off Luzlow Lane which is not highlighted on the above plan.

7.79 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 slightly separated from Cellarhead Sub-station by virtue of access road but given the similar nature of the equipment to the layperson will likely be perceived as an extension to it.”*, although they acknowledge that Cellarhead substation will appear larger in the receiving landscape.

7.80 They note that the consented BESS scheme to the north would be separated from these proposals by a single field which would be put to wildflower meadow management. They acknowledge that there will be opportunities to see both from the Cellarhead Access Road (FP60) combining to create a sense of intensification of power infrastructure in the area until the various pieces of screening grow in. They also acknowledge that sequential effects where the cumulative effect of seeing and experiencing a series of BESS developments combine to change the intrinsic quality of the open, pasture landscape and changes it to a perceived area associated with power infrastructure. They identify that this will definitely be the case until the various areas of screen planting across all the schemes take effect and starts to change the area’s landscape character to more woodland plantation in nature.

7.81 The applicants have also made an assessment of the cumulative effects on the landscape and visually. This concludes that *“the overall cumulative effect on the LCT as a result of the Proposed Development being constructed in combination with the consented projects would increase to moderate adverse”*.

The LVA considers that there are relatively few locations where the development would be visible in combination with any of the other consented schemes. However, they acknowledge that the development with the approved BESS to the north would be visible in the same arc of view around the junction of Cheddleton 47 and 60. The LVA concludes that combined effect arising in the scenario that the approved BESS scheme was constructed would remain Substantial/Moderate effect (adverse).

7.82 Clearly, there would be a sequential cumulative change to the surrounding landscape context to one which would be more industrial in character arising from the spread of power related development. Nonetheless, in combination views

would be limited. Additionally, the significant extent of landscaping which is proposed within this scheme (along with the mitigation measures associated with the approved scheme) would enable the developments to assimilate into the landscape in the medium to longer term.

7.83 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 include various measures to integrate the development into the receiving landscape and minimise the visual effects of the development. As such the development could be provided without appearing unduly prominent on the landscape from a wide range of vantage points. Therefore, 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.

7.84 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. It has been demonstrated that visual effects on the landscape can, therefore, be made acceptable.

Living Conditions

7.85 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”*.

7.86 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.

7.87 There are various properties surrounding the site which are separated from the site by fields although it is possible that some properties would have views towards the site. Given the degree of separation, along with the low level nature of the proposals and landscape mitigation it is not considered that the development would have an adverse effect on the outlook of these properties.

7.88 The application has been supported by a Noise Report, which considers 9 noise sensitive residential receptors surrounding the site. The nearest properties from the edge of the energy storage compound are Grasse Lane Farm (approx. 200m to the east), Far Little Waste Farm (approx. 205m to the west), Platts Farm (approx. 240m to the south west) and Newfields Farm (approx. 245m to the north west).

7.89 The scheme includes various measures to reduce the effect of noise on surrounding receptors including acoustic fencing and bunding, which would be

provided around the site in its entirety. The Noise Report indicates that, at the nearest noise sensitive receptor, the predicted noise level would be 26 dB(A) during daytime operation and 27 dB(A) during nighttime operation. These would not exceed the recorded background noise levels and, therefore, indicates that there would be no adverse effect on the living conditions of nearby properties.

7.90 A critique of the noise report, prepared by an acoustic consultant and commissioned by a third party, has been submitted in objection to the development. This critique raises concerns matters relating to noise have not been adequately addressed due to lack of validation on predicted noise impacts, and various inadequacies and short comings.

7.91 The Councils Environmental Health Officer (the EHO) has reviewed both submitted documents and has raised a series of queries with the applicant. Responses to these queries has been received. Upon review, the EHO still requires more information from the applicant's consultant. At the time of writing this report a final position of the EHO has not been provided and therefore the acceptability of the proposals and the effect on neighbouring properties from noise arising from the development is unclear. A full update on this matter will be provided at Committee.

Biodiversity and Ecology

7.92 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).

7.93 The application has been supported by an Ecological Impact Assessment (EclA), BNG Biodiversity Impact Assessment, and BNG Metric. The documents have been updated during the course of the application to respond to comments made with an addition written response to Staffordshire Wildlife Trust comments provided. The submitted ecological information is robust and considers the effect on all relevant sites, habitats and species.

Impact on Sites

7.94 With regard to the effect on statutory sites, the nearest statutory site is the Wetley Moor SSSI which is located circa 900m to the west of the site. The EclA concludes that there would be no direct or indirect impacts on the SSSI with the development having a neutral effect. Due to distance and lack of habitat connectivity it is concluded that this site would not be affected by the development. No objections have been raised by Natural England or STW with regard to the effect on statutory sites.

Habitats and Protected Species

7.95 The EclA considers the effects on protected species and their habitats including Great Crested Newts (GCN's), breeding birds, bats, amphibians, and water voles.

7.96 With regard to GCN's the EclA, recommends a precautionary approach that the development proceeds under the Council's District Level Licensing Scheme. This requirement has also been flagged by the Naturespace, Newt Officer and this process has commenced. A Naturespace report has been prepared with mandatory conditions relating to GCNs suggested. With the conditions, the effect of the development on GCNs is considered to be acceptable.

7.97 A number of other surveys relating to bats, breeding birds, wintering birds and water voles have also been carried out. The EclA has been reviewed by Staffordshire Wildlife Trust who have confirmed that the content of the surveys with regard to these species is satisfactory. Mitigation measures, along with enhancements, will be necessary which can be secured by condition. SWT have raised some concern with regard to the mitigation proposed relating to breeding birds (curlew and skylark) as the EclA does not provide sufficient certainty over where the mitigation would be provided. Given the extent of the site and amount of undeveloped land (to the south) it is considered that this could be provided and can be secured through condition.

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

7.99 To conclude, subject to conditions the effect on species and their habitat is considered to be acceptable.

Biodiversity Net Gain (BNG)

7.100 The application has been supported by 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 waterbodies across the site while retained areas of grassland are proposed to be enhanced.

7.101 The BNG report demonstrates that the scheme would deliver habitat net gains of 58.84 units (or 115.13%), hedgerow net gains of 10.77 units (or 85.20%), and watercourse net gains of 0.88 units (or 59.44%). There is some minor discrepancy between the BNG report and the BNG metric, which has been raised by SWT, with the metric showing a 119.1% net gain in habitat units and 49.97% net gain in hedgerow units. Nonetheless, either way, the net gains would greatly exceed the current national target for BNG.

7.102 The biodiversity enhancements are likely to alter through fine tuning of the development and would require long-term maintenance and management. 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 which greatly exceeds the 10% national target.

Effects on Public Rights of Way

7.103 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.

7.104 Two PROWs, Cheddleton 58 and 59, cross the site as detailed on the definitive map. Cheddleton 60 runs along the access road to Cheddleton substation, and Cheddleton 49 runs along the access road to the south (from Rownall Road). The proposed development would be sited on the definitive route of Cheddleton 58 and 59 and, as such, these footpaths would require diversion to allow the development to proceed. A proposed diversion route of these footpaths has been provided and The PROW Officer, at Staffordshire County Council, accept the principle of diverting the footpaths. Some slight alteration to the suggested route, around the overhead powerline, was requested which has now been shown. The diversion of the footpath will need to be formally approved following an application made pursuant to s.257 of The Town and Country Planning Act 1990 (as amended).

7.105 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 also be secured via condition, which would accord with Policy T2.

Heritage

7.106 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.

7.107 The application has been supported by a Historic Environment Desk Based Assessment (HEDBA) which considers the effect of the development on heritage assets. The 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 three, Grade II listed buildings within the search area (Stables at Rownall Hall, and two mileposts).

7.108 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.

7.109 The report identifies four non-designated heritage assets within the search area which are identified on the HER. Of these, Grassey Lane Farm and Wayfields Farm are located within 100m of the site boundary with the development falling within their setting. The HEDBA assesses the effect on these assets in further

detail and confirms that, overall, the key aspects of the assets' setting which contribute to its significance will not be materially impacted. Confirming that the level of harm would be considered to fall towards the lower end of the scale of less than substantial harm. Officers would concur with this assessment. Under the terms of the NPPF, this harm must be weighed against the public benefits of the proposal and this is a matter which will be returned to in the overall planning balance below.

7.110 With regard to the effect on archaeological matters, the HEDBA considers these assets. The content of which are sufficient to provide a good understanding of the archaeological potential of the site. 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.

7.111 Therefore, subject to the imposition of relevant conditions it is considered that below ground heritage assets could be preserved.

Highway Safety

7.112 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.

7.113 The application has been supported by an Access Strategy and Construction Traffic Management Plan (ASCTMP) which provides an understanding of the likely effects of the development on the highway network. The operational phase of the development would not attract any significant traffic movements. Therefore, the main effects of the development on the highway network would be during construction phase.

7.114 The ASCTMP identifies that the primary 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 month period which would require a range of vehicles visiting the site including 32-tonne containerised vehicles. It is indicated that the proposed development would result in 300 vehicles coming to the site with 7-15 vehicles visiting the site on the busiest days of construction.

7.115 In terms of route and vehicular movements, SCC Highways have confirmed that the proposed construction route is acceptable and the most obvious means of accessing the site. Furthermore, they have confirmed that 300 vehicles accessing the site over a 6 month period could not be considered to be severe. Therefore, no objection has been raised in this regard.

7.116 The application has not been supported by swept path drawings of vehicles accessing/egressing the Rownall Road junction. SCC Highways have indicated that the alignment of the junction, access and egress routes from/to A52 and previous applications indicate that access for HGV's through this junction is possible. Through a revised CTMP, to be secured via condition, SCC Highways require photographic evidence of the condition of the junction pre and post development along with a commitment to rectify any damage.

7.117 Therefore, subject to condition requiring the submission of a revised CTMP, SCC Highways have raised no objection to the development. In the absence of any objection it is concluded that 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

7.118 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.

7.119 The application has been supported by a Flood Risk Assessment and Drainage Strategy Report which considers the effects of the development on/from flooding and means of site drainage. The report identifies that the site lies within Flood Zone 1 and is not subject to fluvial/tidal flooding. This is also demonstrated through the Environment Agency's flood map for planning.

7.120 In terms of ground water, the report indicates that there is no anecdotal evidence to suggest that the site is susceptible to groundwater flooding, and the site does not lie within a Groundwater Source Protection Zone. In addition pluvial (overland/surface water flows) sources of flooding are not identified within this area. Again, the EA mapping shows the site is not susceptible to surface water flooding. In terms of other sources, such as sewers, reservoirs, canals etc there is no evidence to suggest that the site is susceptible from flooding from these sources.

7.121 Therefore, there is a low probability of flooding and from all sources and no objection has been raised by the LLFA in terms of flood risk. Given the low probability of flooding it is not considered that a sequential test or exception test is required in this instance.

7.122 The FRA considers the opportunities for the discharge of surface water and has following the drainage hierarchy. The drainage strategy indicates that the main site will be drained to an ordinary watercourse located on the south-western boundary. Discharge would be at a maximum rate of 30.1 l/s is the greenfield runoff rate. An attenuation basin is proposed with 3,300m³ storage, with pumped outfall, to enable outflow rate to be achieved. A second pond has been designed in the scheme to provide water for fire suppression.

7.123 It is considered that principles of appropriate SUDs can be delivered with the scheme as outlined within the strategy. 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.

7.124 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

7.125 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.

7.126 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 Battery Storage Safety Management Plan, prepared by National Fire Safety Services.

7.127 Consultation with Staffordshire Fire and Rescue Authority (SFRA) has been undertaken as advised by the PPG. 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 SFRA's internal check list which covers matters detailed by the NFCC guidance on a point by point basis.

7.128 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 checklist confirms that *"The 6m recommendation is used when there is no mitigation, These containers have followed the NFCC guidance having undergone fire testing of cells, modules and racks in accordance with UL9540A and are to be fitted with an internal water suppression system in accordance with NFCC guidance (NFPA 855)"*. To this point, the SFRA have confirmed that this is *"accepted as compliant due to UL9540A testing"*.

7.129 With regard to access, NFCC guidance states that at least two separate points of access should be provided. The scheme includes two clear points of access into the site, a main access from the Cellardhead substation access road, and an emergency access provided off the track to the south. The points of access and routing widths are deemed to be acceptable with no concerns raised by SFRA.

7.130 Water supply would be provided via on site water tanks. A total capacity of 746,400lts will be available on site. This would include the NFCC minimum requirement of 228,000lts for fire fighting provision, plus an additional bulk water supply of 518,000lts based on the requirements of the Automatic water sprinkler system. Again, SFRA have confirmed that the proposals would be acceptable in this regard.

7.131 In the event of an incident, firewater would be directed to a holding pond. The submission confirmed that the pond would be designed so that water will not permeate into the ground or nearby watercourses and that safe disposal of any contaminated water following testing will be through a Licensed site capable of treating the contaminated water. Again, SFRA raise no objection to the proposals in these grounds.

7.132 SFRA have confirmed that there are no outstanding matters at this stage, subject to suggested conditions regarding the preparation of an overarching fire safety precaution statement, and adherence to the technical and safety information within the submitted Battery Storage Safety Management Plan and production of an emergency response plan.

7.133 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.

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, 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 approved development. Notwithstanding this, the scheme includes significant landscaping

and mitigation which would limit the effects of the development 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. There would also be some harm to the setting of non-designated heritage assets, as confirmed by the HEDBA, although this would be less than substantial and attracts additional, albeit very little, weight against the public benefits of the development highlighted below.

8.5 There is an absence of identifiable harm relating to public safety, highways, flood risk, drainage, trees, designated heritage assets and the use of best and most versatile agricultural land. However, some of these matters would be subject to the imposition of appropriate conditions. 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 roll 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 and 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 secure and 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 400MW would clearly make some considerable 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 The location of the site is 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. 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 115.13%, hedgerow net gains of 85.20%, and watercourse net gains of 59.44%. These figures would greatly exceed the current national target for BNG. Such ecological enhancements which arise from the development are a benefit of the development which attract significant 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, 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 considered to be substantial. It is therefore considered that there are other considerations which would clearly outweigh the harm to the Green Belt and the other harm identified.

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.

8.14 There remains, however, one outstanding matter with regard to noise impacts of the development and the Environmental Health Officer has a number of unresolved queries which have been fed back to the applicant's consultant. Therefore, it is recommended that the Committee grant delegated authority to approve the application, subject to confirmation of no outstanding objections from Environmental Health with regard to Noise, any conditions which they may suggest as appropriate.

9. RECOMMENDATION

A. GRANT DELEGATED AUTHORITY to the Head of Development Services in consultation with the Chairman to APPROVE subject to confirmation of no outstanding objections from Environmental Health with regard to Noise, any conditions suggested by Environmental Health, 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:**

**00 ROWNALL ROAD-102 – Site Access
00 ROWNALL ROAD-103 REV E – Site Layout
00 ROWNALL ROAD-104 REV F – BESS Site Layout**

00 ROWNALL ROAD-107 REV D – Whole Site - Cross Sections 1 of 2
 00 ROWNALL ROAD-107 Sheet 2 REV D - Whole Site - Cross Sections
 00-ROUNDALL ROAD-301 – Battery Containers
 00-ROUNDALL ROAD-302 – Invertor
 00-ROUNDALL ROAD-304 – Customer Switchgear Container
 00-ROUNDALL ROAD-305 – Customer Control Room
 00-ROUNDALL ROAD-306 – Auxiliary Transformer
 00-ROWNALL ROAD-307 – Acoustic Fence and Gate
 00-ROWNALL ROAD-308 – DNO GRP
 00 ROWNALL ROAD-309 Sheet 1 Rev B – Substation Location
 00 ROWNALL ROAD-309 Sheet 2 Rev B – Substation Plan View
 00 ROWNALL ROAD-309 Sheet 3 Rev B – Substation Cross Sections
 00 ROWNALL ROAD-311 REV B - 760,000L Water Storage Tank
 00 ROWNALL ROAD-312 – Pumping Station Container
 00 ROWNALL ROAD-401 REV D - Footpaths
 00 ROWNALL ROAD-503 Rev C – FH Locations
 00 ROWNALL ROAD-504 – BESS Water Connection Layout
 00-ROUNDALL ROAD-505 – Battery Containers – Sprinkler System
 001_LANDSCAPE_MITIGATION_PLAN_REV01 – Landscape Mitigation Plan
 1629-003 – Tree Protection Plan

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: -

Fencing, retaining structures and any other means of enclosure
 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.

Maintenance of Batteries

7. 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

8. Details of external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations (residential) when the light (s) is (are) in operation.

Reason: To protect the local amenities of the local residents by reason of excess of luminance.

Construction Traffic

9. No development shall take place, until a revised Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) a site compound with associated temporary buildings;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in constructing the development;
 - v) wheel wash facilities;
 - vi) mechanical road sweeper for existing carriageway; and,
 - vii) photographic survey of the Rownal Road/Access Track junction pre and post construction and proposals/commitment to rectify any damage.

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

10. 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 occupied 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

- 11. 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 Landscape Mitigation Plan (001_LANDSCAPE_MITIGATION_PLAN_REV01) and be at an appropriate scale. 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.

- 12. 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.

- 13. 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.

14. 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.

15. 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 (Referenced: 1629-003). 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

16. No development shall begin until the final detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The final design must conform to the design detail summarised in the Flood Risk Assessment & Drainage Strategy Report for Land West of Rownall Road, Cheddleton (December 2023), and as shown upon the preliminary surface water drainage layout drawing AVON101/100C/P Revision C in Appendix E of the aforementioned document.

The design must further demonstrate:

- A surface water drainage system designed in accordance with the non technical standards for sustainable drainage systems (DEFRA, March 2015);
- A maximum discharge rate of 30.1 l/s;
- The use of above ground SuDS features to provide the required volume of storage to achieve the restricted discharge rate;
- Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements, including pumping arrangement.

Performance calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and critical storm durations (15 mins up to 48 hours), to include as a minimum the 1:2 year, 1:30 year and the 1:100-year plus climate change return periods.

The hydraulic modelling design shall use FEH Rainfall Data and shall apply a 40% allowance upon rainfall to model the impact of climate change;

- A plan showing the total impermeable/ permeable areas of the development layout shall be submitted alongside the drainage design to confirm the contributing areas within the hydraulic model;
- Provision of an acceptable management and maintenance plan to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.

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

17. 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 BNG Biodiversity Impact Assessment January

2024 (Rev 1) and Metric, the Ecological Impact Assessment (October 2024), and the Landscape Mitigation Plan (001_LANDSCAPE_MITIGATION_PLAN_REV01). 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 to also include a drawing to show the specific parcels where mitigation will be delivered for curlew and skylark and details of how the necessary long-term management for curlew, skylark, reed bunting and linnet will be secured
- c) Sensitive lighting scheme to minimise disturbance to wildlife
- d) Minimum 20m buffer zone adjacent to watercourse
- e) An Ecology Enhancement Plan to show proposed enhancement features, namely bat and bird box locations, numbers, and specification
- f) Updated BNG calculation using latest Defra metric and UK Habs baseline and post intervention plans
- g) Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP) to demonstrate how the stated BNG will be achieved
- h) Soil preparation details
- i) Appropriate planting/ seeding specifications
- j) Timescale for implementation
- k) 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

18. 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.

19. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR148, or a 'Further Licence') and with the proposals detailed on plan "Land South of Cellarhead Substation: Impact plan for great crested newt District Licensing Sheets 1-2 (Version 1)", dated 26th November 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR148, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 20.** No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR148, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Site Safety

- 21.** No battery unit or associated electrical equipment shall be brought on site until details of mechanisms for the maintenance of electrical elements together with and overarching fire safety precaution statement, for the development has been submitted to, and approved in writing by the Local Planning Authority (following consultation with the Fire Authority). This statement should be guided by the "Grid scale battery energy storage system planning – Guidance for Fire and Rescue Services" published by the National Fire Chiefs Council (NFCC). Thereafter, the battery storage facility shall operate 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.

- 22.** The site shall be operated in accordance with the technical and safety information within the submitted Battery Storage Safety Management Plan (dated 29th May 2024). This shall include agreeing an Emergency Response Plan for the site with Staffordshire Fire and Rescue Service to 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 Emergency Response Plan shall include the avoidance of firefighting products (e.g. Aqueous Film Forming Foam) containing perfluoroalkyl and polyfluoroalkyl substances (PFAS)

where possible. The emergency response plan 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

23. Prior to the commencement of development including site clearance and stripping a scheme (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 FP49, Cheddleton FP58, Cheddleton FP59 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
- c) details of the proposed diversion route to be secured via s.257 of The Town and Country Planning Act 1990 (as amended)

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

24. 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).

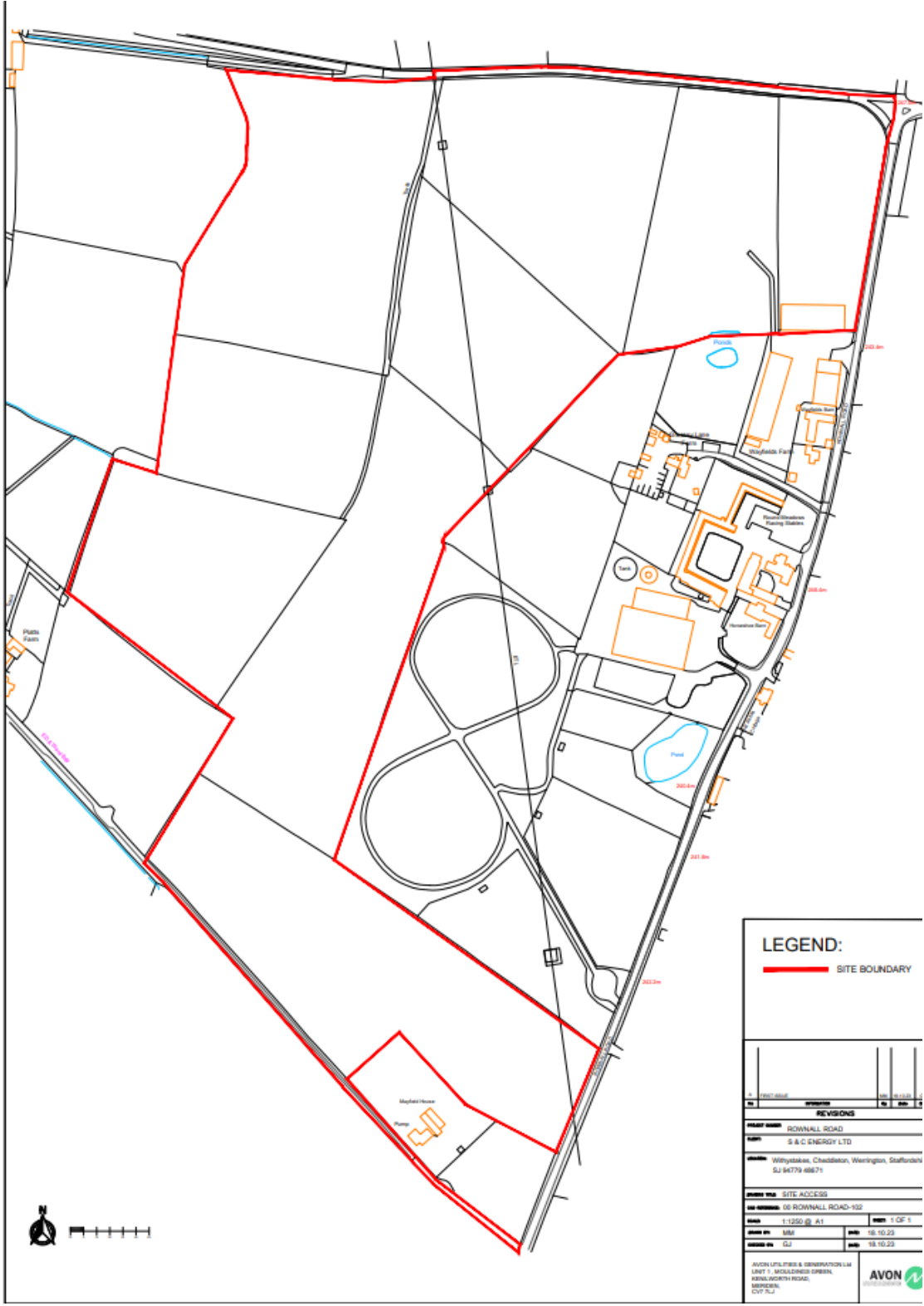
Reason:- In the interests of the Green Belt and character and appearance of the area.

Temporary Compound

- 25. 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.



LEGEND:
— SITE BOUNDARY

REVISIONS			
NO.	DESCRIPTION	BY	DATE
1	ISSUED FOR PERMIT	MM	18.10.23
2	REVISED	MM	18.10.23

PROJECT NAME:	ROWNALL ROAD
CLIENT:	S & C ENERGY LTD
ADDRESS:	Wibblystoke, Chadderton, Werrington, Staffordshire SJ8479 4BB71
PROJECT TYPE:	SITE ACCESS
AS SHOWN ON:	DE ROWNALL ROAD-102
SCALE:	1:1250 @ A1
DATE:	18.10.23
DESIGNED BY:	MM
CHECKED BY:	MM
DATE:	18.10.23

AVON UTILITIES & GENERATION Ltd
 UNIT 7, MOUNDING GREEN,
 HENNINGGREEN ROAD,
 MERRIDEN,
 CVT 8LJ