

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

16th June 2022

Application No:	SMD/2022/0047	
Location	Land Adjacent Cellarhead Substation Rownall Road Wetley Rocks Staffordshire	
Proposal	Erection and operation of a Battery Energy Storage System and associated infrastructure and equipment	
Applicant	Sirius Renewable Energy Ltd	
Agent	Sirius Renewable Planning	
Parish/ward		Date registered 3/2/2022
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffs Moorlands.gov.uk		

REFERRAL

This is a contentious major development in the Green Belt

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The main site consists of two agricultural fields with a new access through a third field to the south. The site is said to be approximately 5.4 hectares. It lies immediately adjacent to the eastern boundary of the Cellarhead substation and to the west of Rownall Road. It is within the Green Belt.

2.2 Two existing accesses are proposed to serve the site. The existing track from Rownall Road to the east (also line of Public footpath, Cheddleton 53) leading to the farmyard, buildings and fields is to be used once the site is operational by the DNO (District Network Operator) who will have access to the substation compound to the north eastern corner of the site. The existing substation access road to the south (also the route of Public Footpath 60) will be used during the construction phases and for routine maintenance checks once the site is operational. A new length of access track approx. 180m in length and 5m in width is proposed between the south east corner of the site and this existing access running in a straight line. Revised plans show this to be a gravelled surface.

2.3 The site is bound to the north by partial hedging, trees and fencing, beyond which is a farm track (also a continuation of Public Footpath Cheddleton 53). To the north east is a collection of agricultural buildings. To the west the site is bound by hedging. Beyond this is a narrow strip of woodland through which Public footpath Cheddleton 47 runs and the Cellarhead substation. To the south and east the site adjoins agricultural land with hedging/fencing and trees forming the boundaries.

2.4 The site gently falls gently in a westerly direction towards the existing substation

2.5 There are two high voltage overhead electricity pylons in the north western of the site.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full application for an Battery storage facility. The proposed facility consists of

- 112 battery container units – 12.15m x 2.43m x 2.89m (extends to 14.69m with air colling units added at either end)
- 112 invertors and 56 transformer
- Perimeter fencing 2.4m high and inward facing infra-red CCTV
- Acoustic fencing on the north, east and south boundaries 4m in height
- Substation compound and associated cabins including a switchgear/meter room
- 2 spare storage cabins
- Underground cabling
- Internal access road

3.2 The switch room and battery containers are to be painted in a dark green colour to help assimilate the development into the landscape.

3.3 Construction is expected to take 9 months to complete. It is said that the site will connect into the point of connection located within the adjacent Cellarhead substation compound via underground cabling.

3.4 An area of off-site land, 3.84 ha, to the south west of the application site in control of the applicant (edge blue on the application) is proposed for biodiversity gains. This will be planted with additional native hedgerows, trees and the grassland managed and improved to enhance its ecological value.

3.5 The facility will provide 280 MVA to store and export to the local distribution network for up to 2 hours .

3.6 The application is accompanied by a Planning Statement, a Landscape and Visual Impact Assessment, Tree survey and a Phase I Habitat report, a Noise Assessment and Heritage Assessment. Members are advised to study these documents and the application submission prior to the meeting

4. RELEVANT PLANNING HISTORY

SMD/2021/0413 Request for screening opinion proposed battery storage facility. Negative opinion issued 25th August 2021

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SS10 Rural area strategy
- SD1 Sustainable Use of Resources
- SD2 Renewable/low carbon energy
- SD3 Carbon-saving Measures in Development
- SD4 Pollution

- SD5 Flood risk
- DC1 Design Considerations
- DC2 Heritage
- DC3 Landscape and visual impact
- NE1 Biodiversity and Geological Resources
- NE 2 Trees, Hedges and woodland
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: Expired

Site Notice expiry date: Expired

Local residents have been notified by letter.

2 Letters of representation received

- This is now the 3rd major sized Battery storage application proposed to annex the existing National Grid transformer station at Rownall! Each separate application has been made in total isolation and disregard for the other individual applications submitted. Consequently there results a total lack of any consideration whatever for the cumulative impact to the local community and environment should approvals be given to these proposals and any others which might well follow!
- All of the risks, of explosion, fire, noise, security, and access etc could potentially now be multiplied by 3 if all present applications are approved! There is an absolute need now to identify the extent of cumulative impact for whatever might be approved!
- LOCATION The map used is long out of date, my home Rownall Ridge occupies the site of the former Rownall Hall which was demolished in the 1960s. Again my home would be the nearest dwelling to this proposed site and not even mentioned in the application possibly because it is not a listed property but nonetheless highly significant in terms of damaging impact!
- ACCESS – the Highways comments are highly relevant in regard to the dangerous narrow section of Rownall Road between Mill Lane and Rownall Hall Farm which is largely single track to larger vehicles and features numerous blind bends and blind entrances which over the years have been the cause of many accidents. It is noted that a separate access road is proposed leading from private national Grid access road, this should be the only vehicle access and no access from the outset should be given down the existing private farm track on the exit of the blind bend which runs opposite to the entrance drives of Rownall Ridge and Rownall Stables!
- The application conveniently mentions that only the majority of construction traffic will access via the proposed newly constructed road, this must not be accepted and a condition should be imposed that 100% of all accessing traffic must use the new road from the outset! Already, I have observed that a number of the surveyors vehicles preparing this application have recently already narrowly avoided collisions with the

fast moving huge tractors now regularly using this dangerous section of Rownall Road.

- The noise of more humming transformers, inverters, air conditioning coolers, and the very loud discharge bangs of static electricity will presumably proportionately increase with each additional new storage facility. What if anything has been done to calculate the overall noise impact? Additionally, I would suggest that construction traffic is limited to Monday to Friday between the hours of greater size of 10.00 and 16.00 hrs.
- Explosion is a serious risk. The outbreak of any explosion on one compound is of course likely to spread to adjacent/adjoining compounds and the size and area of destruction and devastation would be far greater! Accompanying any explosion would of course be an enormous fireball which if plural applications are approved would again be proportionally greater carrying East in the prevailing Westerlies right through the screening into my Copice and into my home. The scale of course of the devastation would in all likelihood be much further far reaching and probably take out the Rownall, Wetley Rocks and Werrington.
- LANDSCAPING AND SCREENING - Some serious thought of effective screening needs to be considered from the outset! It wouldn't be acceptable to simply plant trees and vegetation which would take 40 years to grow to effectively screen what is likely to be a very large visible concrete walled eyesore of enormous height!
- SECURITY -The Police have already drawn attention to the fact that these sites represent a significant security risk as they contain many high value metals, batteries etc which carry a highly disposable scrap value for thieves specialising in this sector. For this reason and the associated vastly increased operational risk already outlined surely this site has to be manned 24/7 particularly if plural approval of a number of these applications are approved!
- SOLAR PANEL FARM DEVELOPMENTS - It should be anticipated that approval of any of these battery storage facilities will likely prompt and encourage further plural applications of huge Solar Panel farms on the residual huge acreage of lands (then rendered unused farm land) in the same ownership of the land occupying the battery storage facilities!
- Foresight of what could result should be taken into consideration now and a long terms strategy developed acceptable to all likely to be affected!

Letter of support from Cllr Ian Dakin

Global warming will affect all of us and will affect green belt land significantly. It is the greatest threat to humanity. To reduce greenhouse gas emissions requires changes, amongst others, to how we generate and store power. Battery facilities are a necessary part of this.

This application is for a storage facility adjacent to the large and tall electrical substation and in comparison, especially with the proposed screening, will have little detrimental visual impact. A noise assessments has been completed to the relevant British and International Standards concluding the noise emissions can be satisfactorily controlled. The report concludes the development will deliver a measurable net gain to biodiversity, in accordance with the NPPF

The development of solar power and battery storage facilities is of immense benefit to society as we tackle the growing threat of global warming, and the UKs has been emitting green house gases through fossil fuel use for over 200 years. This benefit far outweighs the detriment as battery facilities help to reduce the use of fossil fuels. Such battery facilities contribute to the security and stability of the energy supply and national energy strategy and therefore are supported within the NPPF. A battery facility does not constitute urban sprawl nor the coalescence of towns. Also, the proposed development is, in terms of the surrounding context, of low impact.

Letter of support Moorlands Climate Action

We specifically address the question of location of essential battery storage in the Moorlands and ask the question: If not here, where? We respectfully point to the Staffordshire Moorlands District Councils declaration of a climate emergency on July 10th 2019,

We note that: Energy storage will be a significant enabler of the renewable energy adoption required for the UK to achieve its legal requirement to meet net zero by 2050. We point to this statement from Business, Energy and Industrial Strategy Minister Kwasi Kwarteng in July 2020. The key to capturing the full value of renewables is in ensuring homes and businesses can still be powered by green energy even when the sun is not shining, or the wind has stopped blowing.

We point to this statement from National Grid ESOs head of markets, Kayte O'Neill: *"How we operate Great Britain's grid is changing, with record levels of renewable sources generating our power. Storage can help us make the most of this green energy, using it to manage peaks and troughs in demand and operate the electricity system as efficiently as possible - keeping costs down for consumers too."*

We draw particular attention to the role that storage plays by providing back-up for the National Grids Balancing Mechanism

We point to the guidance issued by Western Power Distribution, highlighting some of the benefits of increased energy storage:

- deferment in the reinforcement of both transmission and distribution system assets that would otherwise be required to provide additional capacity
- Potential benefits for the end user in the form of reduced energy bills
- Provision of system stability during electricity outages

We point to the House of Lords Science and Technology Select Committee 1st Report. Without batteries of different scales and potentially fuel cells drawing on stored hydrogen, increasing amounts of renewable energy will be wasted. Without smart operation and storage, the costs of grid expansion will be significantly higher.

The increased uptake of electric vehicles and electric-dependent heating systems will increase aggregate demand for electricity

Increased demand runs the risk of extra congestion on electricity networks and may trigger network upgrades. Energy storage can help avoid or defer costly rebuilding of electricity transmission and distribution networks, reducing bottle necks on the grid.

Residents of the Staffordshire Moorlands are distinctly average in the amount of electricity they consume (source BEIS Subnational Consumption Figures 2020)

Residents of the Staffordshire Moorlands will be as entitled as any in the land to expect a modern, flexible and safe power network to allow them to take advantage of the transition to heating their homes and powering their cars by electricity rather than fossil fuels. Indeed, in the future, they will be able to save on heating and driving costs by plugging in home and EV vehicle systems to the Grid and selling excess power back. But this will only happen if local flexibility is available in the distribution network.

Electricity does not behave like water or gas. It can be transported long distances but loses capacity as kilometres march on. In the absence of the required local infrastructure capacity constraints build up.

The National Grid already possesses some large-scale storage and balancing capacity (principally two remote water pumping schemes) but it is widely accepted that what is required in a modern system is a network of much smaller and responsive storage capacity (known as frequency response services).

Battery Storage can provide this service as these can respond within a fraction of a second to deviations from the target 50Hz frequency and start exporting or importing power, i.e. providing either additional generation or demand.

These facilities are necessarily more widely distributed and at many more points along the transmission network.

Transmission and future storage in the Moorlands

The key transmission network running through the Moorlands is the 400kV ZE Drakelow-Cellarhead/Cellarhead-Macclesfield line. Various 132kV lines run from Cellarhead to supply some of the Potteries and most of the Moorlands. (There is also a 132kV line running directly from Rugeley to Forsbrook.)

Large-scale battery storage needs to be located next to major sub-stations for widely understood and accepted reasons of cost, efficiency, safety and the avoidance of expensive and disruptive cabling works.

It is therefore both inevitable and functionally desirable that storage applications will centre on Cellarhead (other potential, but far less flexible 132kV substations just over the District boundary at Chatterley Whitfield and Forsbrook have attracted or may attract storage applications, as has the co-located Lower Newton solar PV site).

The Cellarhead substation is located in the Green Belt as a result of decisions made long ago. (Many key substations up and down the land are inevitably located in Green Belts – a result of the demand for energy in conurbations and associated population centres.)

Unless Cellarhead substation is moved lock, stock and barrel out of the Green Belt, or the boundaries of the Green Belt are moved – neither are, of course, feasible or likely – it is inevitable that applications such as the current one will involve the Green Belt and its special planning requirements.

We note the comment of SMDC planning officer Jane Curley effectively asking if the applicant has considered other options. We cannot speak directly for the applicant but assume that they have indeed. No sponsor of such a scheme willingly ventures into the Green Belt unless all other options have been exhausted. The Planning requirements are too onerous and, unlike many proposed housing schemes, where the Green Belt is seen as a desirable place in which to live, there is no additional value to the sponsor in placing electricity infrastructure in such landscape.

We ask rather of SMDC: If not here, where? Can SMDC identify where in the Moorlands are suitable sites to add the storage required to add the required flexibility to the local system and to fulfil their many public statements (set down in the Local Plan and elsewhere) to get to Net Zero by 2030 and, specifically, to encourage the growth of renewable energy.

Where in the Moorlands is a substation which offers access to the 400 kV National Grid and which is not in the Green Belt? We do not know of such a thing.

If the underlying question then becomes why does storage have to be in the Moorlands at all there are a number of compelling reasons, of functionality, policy, equity and related. The general point that the Moorlands places as much demand on the Grid as elsewhere has already been made, as has the need for more local storage and flexibility in a modern generation and distribution system.

There is of course, no equivalent to the Local Plan for energy-associated infrastructure of this sort. SMDC does not possess the knowledge, officer capacity or inclination to create such a thing.

We respectfully argue that, should it be suggested, any proposed deferral of planning applications such as the current one until a strategic review is undertaken in the Moorlands must be seen for what it will be a delaying tactic only, and one in direct contradiction to SMDC oft-stated desire to achieve Net Zero by 2030.

Under EU and UK law DNO are not permitted to develop energy storage facilities themselves and must procure services from third parties.

To be credible a storage project must have obtained a Connection to Grid Offer from either the regional DNO or Grid (or both). These are expensive, time consuming and not lightly given (there is a queuing system in operation).

We respectfully argue that given the framework outlined above the existence of a valid Grid Connection Offer for a project must be taken as prima facie evidence of the existence of local need for the facility.

We note that the Green Belt is intended to prevent the spread of urban settlements, not to hinder the emergence of (when very necessary) infrastructure in the countryside.

The Green Belt never has been considered an automatic no-go area for these type of projects. It is harder, of course, to demonstrate the coalescence of circumstances required to place them in the Green Belt but we point to a number of recent decisions on this point, including most recently, the July 2021 decision of councillors in Brentwood to grant permission for such a facility in the Green Belt.

In their decision, the councillors explicitly overruled the advice of their officers and took into account the own councils declaration of a climate emergency and subsequent commitments.

Cheddleton Parish Council

Object on grounds of safety concerns which has been reported to the House of Lords Science and Technology committee and Green Belt land which requires exceptional circumstances for approval.

Environmental Health Officer

Recommends refusal due to predicted nighttime noise levels having an adverse impact on residential amenity

Landscape consultant

Recommends refusal. Advises that there will be net landscape and visual harm. The Landscape character is neither conserved or enhanced. Mitigation measures will address some but not all landscape and visual change. Advises that there are some landscape positives such as wildflower meadow creation and suggests some modifications to the access.

Local Highway Authority

Awaited

Local Lead Flood Authority

No objection subject to condition

Staffordshire Wildlife Trust

No objection subject to conditions.

Secure via condition should approval be granted:

1. Long-term habitat management plan to secure net gain habitats for the minimum period.
2. Bat method statement for any tree works (e.g. limb removal, felling), including bat survey of any moderate-high potential trees as per the ecological appraisal.
3. Nesting bird precautions for any hedgerow and/or tree works.
4. Bat box enhancements (suggested minimum of 6), shown on updated landscaping plan.
5. Bird box enhancements (suggested minimum of 6), shown on updated landscaping plan.

DESIGNATED WILDLIFE SITES & WIDER ECOLOGICAL NETWORK

Impacts to important sites are not anticipated. Furthermore, the proposed habitat enhancements will help to improve habitat connectivity in the area.

HABITATS

Biodiversity Net Gain

The application includes a biodiversity impact assessment using DEFRA metric 3.0 which shows a net gain in both habitat and hedgerow units. All habitats appear to have been included. Although the survey was undertaken outside of the optimal period we do not feel additional survey effort is required in this case due to the present nature of the fields. The suggested enhancements and habitat creation appear suitable. We welcome the suggestion of green hay strewing and may be able to help identify a suitable donor site. We are happy for the habitat proposals to go ahead as shown within the Biodiversity Net Gain Assessment (FPCR, January 2022). A long term habitat management plan will be required.

Trees and hedgerows

The ecological appraisal found hedgerow 6 (H6) to be of importance under the Hedgerow Regulations (1997). A section of this hedge is to be removed to facilitate site access. However, from aerial photography this appears to be located within an existing gap between the trees. This will also be compensated for by the proposed additional hedgerow planting and enhancements as part of the net gain proposals.

The recommendations as set out in the arboricultural assessment must be followed in full with

regards to Root Protection Areas (RPAs) for all retained features. Please also note the comments for bats and birds below.

SPECIES

Bats

The Ecological Appraisal found numerous trees on site to have moderate bat potential. Any works to these trees such as limb removal or felling will need to be preceded by a bat survey

to check for bat roosts. As the arboricultural report recommends some trees with signs of decay to be removed or monitored, we recommend that a bat method statement is in place for these works as a further precaution – this should include a bat survey if they were identified as having bat potential in the Ecological Appraisal.

The ecological appraisal recommends that Schwegler (or similar) 1F bat boxes are installed on retained trees on the eastern or northern site boundaries as a species enhancement. We suggest a minimum of 6 as compensation for potential lost tree roosting opportunities.

Birds

Any tree or hedgerow works must take place outside of the bird nesting season (March – August, inclusive), or be subject to an inspection by an ecologist prior to works commencing. Any nests encountered (including those in the process of being built) must be left undisturbed with a suitable buffer zone until all birds have fledged.

The ecological appraisal recommends that “a mixture of small hole (26 mm and 32 mm) nest boxes such as the 1B Schwegler nest boxes” are included as an enhancement. These should be included and shown on an updated landscaping plan. We suggest a minimum of 6 as compensation for potential lost tree nesting opportunities.

SCC Mineral Safeguarding

No objection

Ramblers Association

If development takes place, three p.r.o.w could be effected Cheddleton 47-- 53 and 60. These paths should be kept safe to use for the public during and after development.

Peak and Northern Footpath Society

We note that the PROWs Cheddleton 47, 53, and 60 are within the proposed site. Use of the PROWs, and the safety of users must not be affected by the development, nor during the work taking place.

Severn Trent Water

As the proposal has minimal impact on the public sewerage system advise no objections to the proposals and do not require a drainage condition to be applied

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 Planning law requires that applications for planning permission be determined in accordance with the Development plan unless material considerations indicate otherwise.

Principle

7.2 The application site is a greenfield site which lies within the Green belt. The applicant agrees that the proposal represents inappropriate development in the Green Belt because it does not relate to any of the exceptions set out in the NPPF.

7.3 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, the NPPF says that LPA's should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' 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.

7.4 Paragraph 151 says that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. 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.

7.5 In this case, in addition to definitional harm there would be significant harm to openness, the essential characteristics of the Green Belt. This would arise from the concentrated nature of the proposal which would appear urban and industrial amounting to a series of batteries/containers, and hard surfacing enclosed with 2.4m high perimeter and 4m high acoustic fencing. There would also be conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. The totality of the Green belt harm would be significant

7.6 The applicants have set out a case for very special circumstances which in their view outweighs the harm. This is considered more fully in the Green Belt balance and conclusion below

7.7 For the reasons above however it is concluded that significant harm to the Green Belt would occur. The Framework states in paragraph 148 that when considering any planning application, substantial weight should be given to any harm to the Green Belt. On the face of it therefore, there is conflict with Policy SS10 and the NPPF.

Access

7.8 The site will be accessed via the existing Cellarhead Substation access road which runs to the south of the site from Rownall Road. It is proposed to construct a new access to link this road to the application site. The connection will be to the south of the site. In addition, the existing track to the west of the site (which currently serves a farm yard and buildings) will be used as a secondary access during the operational phase by the DNO (District Network Operator) who will have access to the substation compound to the north eastern corner of the site.

7.9 The application is accompanied by a Transport Statement (TS) and an outline Construction Environmental Management Plan. The application states that once operational the facility will be unmanned and that traffic generation will be minimal. The TS states that following completion of construction works, the southern access will continue to be used by one vehicle a month visiting site for maintenance and repair reasons. It goes on to say that the northern access point will be utilised by the DNO (District Network Operator) who will have access to the substation compound and that it is expected that once the site is operational this access will be used once a month for maintenance and repair works by the DNO.

7.10 The TS also confirms that the proposal does not involve the diversion or closure of any public rights of way, which are to remain fully operational for the duration of the construction works and during the operational period.

7.11 The comments of the LHA are awaited although they are not expected to object to the application.

Residential amenity including consideration of noise

7.12 There are a number of residential properties in the vicinity of the site and the protection of their amenity is a material consideration.

7.13 The application is accompanied by a Noise Assessment. The assessment uses the closest residential property to the site (Dove Cottage). It says that this location is also

representative of other residential properties in the Rownall Hall area to the east of the site. Other properties to the north and south of the site are further away and therefore the noise impact will be lower than at the location assessed. The conclusion of the assessment is that with the mitigation proposed, which includes a 4m acoustic barrier on the northern, eastern and southern boundaries and equipment designed to minimise noise emissions. It concludes that noise impact would be low both during the day and night.

7.14 The Environmental Health Officer has carefully considered the application. He has recommended refusal of the application because the predicted night time noise levels would exceed current night time background noise levels and in his view this could potentially adversely impact on the amenity of nearby residents. He says if the similar proposal SMD/2021/0695 (also on this Agenda) were to be consented the cumulative effect would increase noise levels further and increase the night time exceedance. He comments that this is a rural area and although the predicted noise levels are low this is against low current background noise level.

7.15 For these reasons there is conflict with Policy SD 4 and the NPPF which says that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from new development

Flood risk

7.16 The site lies within Flood zone 1 which is land at lowest risk of flooding. A Flood Risk Assessment and Drainage Strategy (FRA) has been provided, as required, because the site area exceeds 1 hectare. It proposes a SuDS strategy. Infiltration testing has been carried out and has been found to be suitable for managing surface water.

7.17 The Local Lead Flood Authority have considered the submitted FRA. They raise no objection to the application subject to conditions. With these in place there is compliance with Policy SD5 and the NPPF.

Heritage

7.18 There are a number of Listed buildings within the vicinity of the application site however none will be directly affected by the proposed development. The application is supported by an Archaeological Desk Based and Heritage and Assessment. It identifies 5 Listed buildings within 1 km of the application site. It concludes that no registered Historic Landscape, Conservation Area, scheduled Monument or Historic Park & Garden will be directly or indirectly affected by the proposed development. It also concludes that no Listed building will be directly affected by the proposed development. It considers that there may be a minor to negligible indirect impact on the setting of the Grade II Listed *Stables to Rownall Hall* (Hall Now Demolished) (LB 1188808); *Barn Stables 20 Yards To South West Of Ivy House Farmhouse* (LB 1188812); *Ivy House Farmhouse* (LB 1038080); *Rownall Farmhouse* (LB 1038081); and *Barn Approximately 10 Metres South Of Rownall* (LB 1374618). However, it says that due to the current adverse aspect of the site when viewed from these heritage assets, and if current proposals for green infrastructure screening are adopted, then the proposed development may have a positive impact on the setting of these heritage assets. The screening would occupy the high ground along the eastern boundary of the site, so mitigating the pre-existing visual impact from pylons associated with the Cellarhead substation behind.

7.19 One non-designated site of archaeological interest has been identified within 1km of the proposed development area that may indirectly be impacted upon: *Rownall Hall Park* (MST6175), a Landscaped Park recorded on the Staffordshire HER. The indirect impact on the setting of this heritage asset will also be minor to negligible.

7.20 The submitted Assessment which has been prepared in accordance with Historic England Guidance is considered to be a thorough and proportionate assessment of designated and non-designated heritage assessments. No harm to heritage assets has been identified and as such there is no conflict with Policy DC2 or the NPPF.

Landscape and Visual impact

7.21 The application is accompanied by a Landscape and Visual Appraisal. It has been considered on behalf of the Council by Stuart Ryder, Landscape consultant.

7.22 The submitted LIVIA concludes that without mitigation the effect on landscape character once operational would be moderate/minor (adverse) reducing to Minor adverse with mitigation. The operational impact on visual receptor groups identified would range from Moderate/minor (adverse) reducing to Negligible with mitigation

7.23 A Landscape mitigation strategy is put forward. It is shown on the Landscape Mitigation Plan and described in the LIVIA in Section 5 and in the Planning/DAS. It includes

- An area of grassland beneath the existing pylons to be harrowed and re-seeded with green hay methods, if possible, intended to remain as grazing land following completion, improving the ecological value of the grassland;
- Surface water drainage features including an infiltration basin in the north western corner and two drainage swales adjacent to the proposed vehicular access, planted with an appropriate wetland seed mixture;
- Retained trees and hedgerows, with gaps filled-in with a suitable mixture of native species reflective of those found on site;
- Proposed native tree planting within hedgerows to reflect those existing on site;
- A belt of native woodland planting with some larger, structural specimens along the eastern edge of the site.

As noted elsewhere a further 3.84 hectares of land south of the site, also under control of the applicant is proposed to be planted with additional native hedgerows, trees and the grassland managed and improved to enhance its ecological value.

7.24 The application site lies within open countryside outside of a settlement boundary. In the Landscape and Settlement Character Assessment (LSCA) it is within the landscape character type Ancient plateau farmlands. Key characteristics of this landscape are given to be:-

- Gentle undulating landform with some steep slopes
- 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

7.25 The LSCA refers to incongruous features in this landscape including the replacement of hedges by a variety of fence materials and dominant power lines and electricity substation

7.26 In landscape character terms there is both connectivity with and influences of the pastoral landscape to the north, east and south but also influence of the Cellarhead sub-station to the west albeit that it is relatively well screened. The site is not considered to be a 'valued landscape' (para 174a NPPF).

7.27 In terms of landscape effects the proposal will effectively turn this greenfield site into an industrial compound. The Landscape consultant says that for the site itself this change can only be classified as a Major, Adverse and Permanent effect. The overall character of the main site will appear as a large power infrastructure site and the landscape effect will be compounded by the adjacent presence of the Cellarhead sub-station. The proposals are not considered in keeping with the wider pastoral landscape character of the Ancient plateau farmland even though there is the adjacent Cellarhead facility. Any lighting required will add to this harm.

7.28 Landscape mitigation is proposed and is shown on the Landscape Mitigation plan. The Landscape consultant says that the eastern planting belt will likely screen the battery containers from the west in an estimated 6 to 8 years. He concludes that the effect on the landscape character of the surrounding area after mitigation planting can be summarised as Moderate / Minor, Adverse and Permanent. He says that the planting of the two southern fields as a hay meadow would lead to a Moderate, Beneficial and Permanent effect in landscape character terms but as he says, this benefit is to the character of the fields themselves but character wise they will still have the adverse effect of the battery facility to their north.

7.29 In terms of visual effects, there are a number of Public footpaths nearby from which the proposal would be visible including Footpath 60 to the south, Footpath 53 to the north and east and Footpath 47 to the west. The greatest visual impact will be from the south and east. The proposed eastern woodland belt and planting to the north west will take an estimated 6 to 8 years to start to be effective at screening in views from Footpath 53 as people walk it in a westerly direction towards the site. Although there would be no views from car drivers on Rownall Road to the east, a pedestrian would be able to gain a longer range sight to the acoustic wall from Rownall Road if they stop to look through a gap in the road side hedge. This would appear incongruous and too regular in height and material until the mitigation planting establishes.

7.30 The Landscape consultant concludes that given the number of footpaths near to the main site and their proximity to it, there will never be total screening of the proposals. Rather there will be an ability to see and perceive the presence of an extensive facility set in the proximity of the existing Cellarhead sub-station. He assesses the visual effect as Major / Moderate, Adverse and Temporary in the first instance until the mitigation planting has established when it will decrease to Moderate / Minor, Adverse and Permanent.

7.31 It is also necessary to consider cumulative effect. There are two sets of compound effects to be considered in this case, firstly with the existing Cellarhead sub-station, and secondly with a similar development proposed under SMD/2021/0695 and considered elsewhere on this Agenda.

7.32 The proposal will appear and be judged as extending Cellarhead sub-station. This is due to it being experienced in proximity to Cellarhead and because it already has existing pylons within the main site fields. The balance at the moment is that pylons exist in a rural field but should development be allowed then the sense of rurality would be removed and it would be perceptually linked with Cellarhead even with existing and proposed vegetation physically separating the two sites. Should SMD/2021/0695 be consented and built out, this site would become the middle block of three and the easterly spread of power infrastructure would be greater and more readily perceived from Rownall Road until mitigation planting is established. It would also create a larger power park to be experienced at close range from Footpath 53 that would run past both proposals and then past Cellarhead itself on Footpath 47.

7.33 Policy DC3 says that the Council will protect and where possible enhance local landscape by amongst other matters, resisting development which would lead to a prominent intrusion into the countryside; support development which respects and enhances local landscape character; support opportunities to positively manage the landscape and use sustainable building techniques and materials sympathetic to the area and conserve or enhance biodiversity.

7.34 In this particular case, the conclusion for the reasons above and notwithstanding the biodiversity net gain (see discussion elsewhere) and the positive management of the mitigation planting, is that the proposal does not respect or enhance local landscape character. It cannot be classed as leading to a net improvement in local landscape character. Given the number of footpaths close to the site, there will never be total screening of the proposals albeit that this intrusion is not considered to be prominent due to the existing pylons influencing its landscape character and the fact that the site is a relatively discrete location within the local landscape. Furthermore the materials and building form are clearly not sympathetic to the area.

7.35 For these reasons there is conflict with Policy DC3 and the NPPF which says that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside

Biodiversity

7.36 The application is accompanied by an Ecological Appraisal (EA) and Biodiversity Impact Assessment (BIA), the latter using the DEFRA metric 3.0 which shows a net gain in both habitat and hedgerow units. The site is dominated by improved grassland which is considered to be of low nature conservation value. Hedgerows form the boundary of the site with a single hedgerow through the centre. All hedgerows comprised of at least 80% native species were therefore considered habitats of principal importance (NERC, S41). There are mature trees within the hedgerows providing features that may have the potential to support roosting bats.

7.37 The Ecological Appraisal confirms that the proposal will result in the loss of the majority of improved grassland on site, with the exception of the north-west corner where electricity pylons are located. Hedgerows along the site boundary and through the centre of the site are expected to be retained, although a small section of hedgerow H6 will require removal to facilitate the new access road. Mature boundary trees are all expected to be retained throughout the proposals. Given the percentage of the site being lost to development, off-site areas are required to compensate for the loss and to deliver a net gain in biodiversity. Use of pasture fields to the south of the site have been assessed in order to provide this off-site enhancement

7.38 The BIA confirms that approx. 0.8 ha of the on-site grassland area is to be retained as it is located underneath electricity pylons. This will be enhanced to provide a biodiversity gain. Other on-site enhancement includes woodland planting along the eastern boundary, enhancement to all hedgerows and additional tree planting provided along the southern boundary. The infiltration basin will be sown with wetland grasses and swales designed along both sides of the new access track. The majority of grassland lost will be compensated for by the creation of herb rich neutral grassland on 3.91 ha of off-site land immediately to the south.

7.39 With these measures included the biodiversity net gain calculation indicates a 19.85% gain in habitat units and a 58.1% gain in hedgerow units.

7.40 The application has been reviewed by Staffordshire Wildlife Trust on behalf of the Council. They raise no objection to the application subject to conditions to secure the net gain and with these in place there is compliance with Policy NE2 and the NPPF

Mineral Safeguarding

7.41 Staffs CC confirm that the entire site falls within the Mineral Safeguarding Areas (MSA) for Bedrock Sand, as defined in the Minerals Local Plan for Staffordshire (2015 – 2030). In addition, a small part of the eastern end of the site also lies within the MSA for Silica Sand, and the eastern tip is also within the MSA for Shallow Coal and Fireclay. However they advise that the development is temporary, with the expectation that the battery packs, switch gear etc. would be removed at some point in the future. Only the concrete plinths would be fixed, and these too would be removed when the facility was decommissioned. They would not be of sufficient depth to affect any underlying minerals. On this basis they raise no objection to the application on mineral safeguarding grounds

Tree protection

7.42 All trees and hedgerows are retained and can be suitably protected during construction to ensure no conflict with Policy NE2

Green Belt Balance and Conclusion

7.43 By law this application must be determined in accordance with the Development plan unless material considerations indicate otherwise.

7.44 The applicant has put forward a number of considerations which he considers amount to very special circumstances in this case. They are set out in detail in the Planning Design and Access Statement and summarised at para 5.7.35 as:-

- a) Due to the nature of the proposal, it needs to be located in close proximity to a point of connection to the grid, which itself is located in the Green Belt;
- b) The grid network has capacity for the proposed development;
- c) The scheme will support and enable the deployment of renewable energy generation and provide a direct replacement to gas fired power generation in meeting electricity demand at peak times thus making an essential contribution to addressing the impact of climate change.
- d) The existing landscape context means the site makes a limited contribution to the openness of the wider Green Belt;
- e) The design and siting combined with the proposed mitigation has been well considered and will minimise the perceived impact on the Green Belt;
- f) The proposal will deliver ecological and landscape improvements;
- g) The proposal is for a temporary period of 40 years, after which all equipment is to be removed and the site reinstated to its current use.

Green Belt harm

7.45 The proposal has been found to be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore, the proposal would significantly reduce openness by replacing open fields with a battery storage compound. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are their openness and permanence. The proposal would also conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. The totality of the Green Belt harm is very significant and substantial weight must be given to this harm (para 148) .

Other harm

7.46 In addition to this Green Belt harm, there would be harm to the character and appearance of the area as discussed above and conflict with Policy DC3 and the NPPF. The proposals will effectively turn this greenfield site into an industrial compound. It will neither respect or enhance local landscape character. The materials and building form are clearly not sympathetic to the landscape when compared to traditional materials used in the area. There would also be intrusion arising from the new facility but it is not considered prominent in terms of Policy DC3. This is because the existing pylons influence its landscape character so the facility does not appear as incongruous and is a relatively discrete location within the local landscape. Significant weight is given to the landscape harm

7.47 There would also be harm to residential amenity and conflict with Policy SD4 as a result of predicted night time noise levels exceeding existing night-time background noise levels. Moderate weight is given to this harm

Benefits – other considerations

7.48 In terms of the considerations put forward by the applicant, the need for battery storage nationally as a means to assist in balancing the Grid is accepted. The proposal would help contribute to meeting this need and this is a positive benefit of the scheme. Although not generating renewable energy in its own right battery storage does have an important role to play in providing greater capacity and flexibility in the electricity network. It supports the move towards low carbon energy increasingly supplied by renewable energy which is a more variable supply as it is weather dependent. Para 152 of the NPPF says that the planning system should support renewable and low carbon energy and associated infrastructure. The proposal would also contribute towards the government's net zero target by 2050 and the Council declared climate emergency (10th July 2019) and its commitment to *making the Staffordshire Moorlands carbon neutral by 2030*. Significant weight is given to the contribution the proposal would make to supporting renewable and low carbon energy and addressing climate change.

7.49. The applicant does have a connection agreement with National Grid, however there is no evidence that the need for storage can only be met on this particular site. Members will be aware for example that the Council has three other applications for battery storage facilities in the District currently pending consideration (one is elsewhere on this Agenda). Furthermore National Grid confirm that the connection agreement for this particular proposal will require the Cellarhead substation itself to be expanded beyond its existing footprint. However no details are before the Council. These matters limit the weight that can be given to the consideration put forward by the applicant in respect of capacity

7.50 Although the proposal would deliver a net gain in biodiversity, this is a requirement of Policy NE2 and the NPPF. It attracts only limited weight in the overall balance

Conclusion

7.51 Policy SS10 and the Framework states that very special circumstances 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. For the reasons above in this case the harm to the Green belt to which substantial weight must be given and the landscape and visual harm are not clearly outweighed by the other considerations. A recommendation of refusal is therefore made

8. RECOMMENDATION

A That planning permission be refused subject to the following reasons:-

- 1. This site consists of agricultural land. It is greenfield and lies within the Green Belt. The proposal represents inappropriate development in the Green Belt**

which is harmful by definition. The development would, in addition significantly compromise openness by replacing open fields with a development of industrial character and appearance. Openness and permanence are, the NPPF confirms, the essential characteristics of the Green Belt. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open. Furthermore there would be conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. The totality of the Green Belt harm is significant and Local Planning Authorities are required to give substantial weight to any harm to the Green Belt. It is not considered that the other considerations put forward by the applicant amount to the very special circumstances to clearly outweigh the harm to the Green Belt and other harm. It is for these reasons that the proposal is contrary to Policy SS10 of the Staffordshire Moorlands Local Plan and advice in the National Planning Policy Framework.

2. The site lies outside a settlement boundary in the open countryside. It is within the Landscape character type of Ancient plateau farmland. The overall landscape character is of rural pastoral fields with also influence of the Cellarhead sub-station to the west albeit that it is relatively well screened. It is considered that introducing what is effectively an industrial compound into this landscape would result in a significant and harmful landscape and visual change. It would neither respect nor enhance local landscape character. The site is visible from a number of public rights of way. From these public routes views of the development would be readily available until the extensive planting put forward has begun to provide any effective screening which could take many years. However there will never be total screening of the proposals. Rather there will be an ability to see and perceive the presence of an extensive facility set in the proximity of the existing Cellarhead sub-station. It would result in significant harm to the character and appearance of the area. For these reasons there is conflict with Policy DC3 of the Staffordshire Moorlands Local Plan and the NPPF which says that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside.
 3. There are a number of residential properties close to the site. The predicted night time noise levels set out in the submitted Noise Assessment would exceed current night time background noise levels in this rural area. It is considered that this would potentially adversely impact on the amenity of nearby residents in conflict with Policy SD4 of the Staffordshire Moorlands Local Plan and advice in the NPPF
- 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.



