

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

16th June 2022

Application No:	SMD/2021/0695	
Location	Land Adjacent Cellarhead Substation Rownall Road Wetley Rocks Staffordshire	
Proposal	Erection of a Flexible Energy Facility	
Applicant	C and S Energy Ltd	
Agent	Surface Planning	
Parish/ward		Date registered 3/11/2021
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 site consists of agricultural land amounting to approximately 9 hectares. It lies to the east of Cellarhead substation (albeit not adjacent to it) and to the west of Rownall Road to which the site has frontage. It is within the Green Belt. To the north, south and west the site adjoins agricultural land. The site is to be accessed via an existing gated agricultural access on Rownall Road. From here a new access track, 5m in width will be constructed leading to the site running parallel to the northern boundary. For the first 15m it will be of bound surface.

2.2 The application site consists of three fields. The main compound is proposed to be sited in the most western field. Only part of the eastern field is required for the new access and planting but it is all included; the applicant says to allow for the construction compound, facilities and lay down areas which would be detailed in the Construction Management Plan and to provide flexibility on the final landscaping details. The southerly field is shown to be proposed wholly for mitigatory woodland planting.

2.3 Although the total area of the application site is 9 hectares, the applicant says that the actual area of development (plant, machinery and access route) is 3.42 hectares.

2.4 Public footpath 53 runs along the southern boundary of the site and part of the western boundary. Footpaths 42 and 43 head to the east down into the Churnet Valley

3. DESCRIPTION OF THE PROPOSAL

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

- 224 containers (each of which consists of 10 battery cabinets 1550mm x 1050mm x 2280mm, drawing 302A) aligned in rows in a north- south direction with a 3m concrete fire wall in between each set
- 112 power stations including transformers each measuring 6058mm x 2433mm x 2896
- 2 Switch rooms which are raised from the ground on a series of 'legs' dimensions each of 20m by 3.5m by 4.13m in height to allow cabling and services to be run underneath
- A substation, part of which is 'open' part fully enclosed. The section (Drawing 307B) show elements of this building to be approx. 9m high. The sections also show that the ground is to be excavated to depths of between 5-8 metres to house the substation. This is to ensure it is said that no part of the building is visible above the acoustic fencing
- A DNO GRP cabinet will be located outside of the compound next to the gated access point. This is shown to be a metal cabinet of 5840mm x 3580mm x 3100mm
- 4-metre high acoustic fence enclosure around the entire site with one solid gate.
- A new access track will run from the existing gated access point on Rownall Road for approximately 200 metres to the facility access gate. It will be 5m in width and will be surfaced in tarmac for the first 15m from the edge of the highway, thereafter geogrid or similar material

3.2 The application documents (FRA) refer to the fact that the proposed finished development levels have yet to be finalised, however it says that they will generally reflect the prevailing topography, with some localised raising and lowering of levels to facilitate suitable workable plateaus for level access and servicing.

3.3 The proposed battery sets and other plant will be located on concrete plinths, with other areas within the facility laid to permeable gravel. All cabling, including the connection to Cellarhead Substation to the west, will be underground, and no overhead electricity transmission infrastructure will be required.

3.4 The facility will provide 349 MW of electrical export/import capacity. It is said that the facility will be remotely operated, receiving excess power from the grid at times of surplus and returning power at times of excess demand.

3.5 The applicant says that without a storage facility at Cellarhead, the region will be at increasing risk of localised grid failure which could not be effectively mitigated by storage facilities in other parts of the country due to the effect of power losses when electricity is transmitted over long distances. He says that Cellarhead substation is the only GSP in the region with sufficient import capacity for a connection above 200MW.

3.6 The Access Strategy says that the majority of vehicles to be used in the construction of the scheme will be light commercial vehicles, with larger vehicles used for transformers and 32-tonne containerised vehicles used for delivery of the main plant. Vehicles over 8.5m in

length (“long vehicle”) or over 2.4m in width (“wide vehicle”) will be accompanied by a trained banksman. The arrival of all construction vehicles will be organised by onsite management and vehicles will also notify the site manager at least 20 minutes prior to their arrival.

It is anticipated that there will be between 7 – 15 vehicles per day; 2-5 Civil Work vehicles and 5-10 BESS Construction vehicles. Some construction stages will have significantly fewer vehicle movements than this, and these daily figures represent a worst-case / busiest period scenario. It is expected that across the whole 6-month construction period there will be circa. 300 vehicles. Construction vehicles will enter and exit from the south via the A52 and Rownall Road. All construction vehicle drivers and on-site staff will be made aware of the construction traffic route. Once operational the facility will be remotely operated and will require relatively few visits for the purposes of maintenance throughout the year. As such, additional vehicular movements to and from the site associated with the proposed development are expected to be negligible.

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

3.8 The application sought an EIA Screening opinion from the Council. A negative opinion was issued on the 5th August 2021

4. RELEVANT PLANNING HISTORY

SMD/2019/0568 This site was part of a much larger site for which a negative Screening opinion was issued on the 10th October 2019 for a Ground mounted solar farm

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.

3 Households have written letters of objection. The main points are:-

- The location maps used in this application are inaccurate and out of date. My home occupies the footstamp of the former Rownall Hall which lies between Home Farm and Rownall Hall Farm. The LVA figure 5 localised site context incorrectly captions Home Farm as Rownall Hall. Rownall Ridge lies north of Home Farm, between Home Farm and Rownall Hall Farm! My home is therefore within approximately 100 yds of the proposed perimeter installation!
- Noise - the existing noise level from the National Grid transformer station fluctuates not only with weather conditions and wind levels but also it seems according to its operation of partial or full transformer banks! In recent years the following the substantial enlargement of the facility, the noise level has increased appreciably! Therefore noise monitoring survey conclusions carried out already should be viewed knowing the precise environmental and operational conditions ruling at the time!? This very large battery facility necessitates equally large inverter and air conditioning installations which can only further add to the already significant noise nuisance!
- Risk of Explosion - The risk of explosion involving bulk storage Lithium batteries is considered considerable and proportional to the size of the facility and one which is considered very much higher if the site is not manned, monitored and managed full time night and day, 7 days a week!
- Risk of Fire - Following any explosion it is likely a large fireball would erupt which could likely be carried in the prevailing westerly wind through the vegetation and tree screening canopy into my mature coppice adjoining Rownall Road and my home. The conclusion being that my home would lie directly and immediately within any line of fire!?
- I would seriously question the suitability of the identified location which surely would if it is going to go ahead despite Green Belt, environment considerations be far better positioned either west, north or south of the National Grid away from ANY existing dwellings
- serious worries over the access route to this particular site along Rownall Road which is already a very dangerous stretch of road over blind bends with the capability of only single track travel over the entire length between The junction with Mill Lane and Rownall Hall Farm. It is imperative that any access approval is given only via the National Grid complex and their own access Road therefore avoiding this very hazardous length of dangerous narrow roads with blind entrances !
- You may or may not be aware of this seemingly dormant company registered on 17 December 2019 which may indicate the direction and intended future use of approximately 150 acres of existing farmed land between Rownall Road and Thorney Edge Road at Rownall?! A solar farm on this acreage could nett the landowners £900 per acre per annum for 40 years equalling £135,000 per year and approximately £5.5m for the period term of contract assuming no renegotiation! This of course addition to an undisclosed income generated the leased land from the same landowners battery storage facility!
- Having previously lived on Rownall Road for nearly 20 years, I write to voice my objection to this proposed development. I find it impossible to believe that an alternative brown field site cannot be utilised within the curtilage of the existing sub-station rather than stealing more of the greenbelt for development. The fact that the proposed site has been productive farmland for generations only exacerbates the loss to our local countryside. Surely the role of authority in this situation is to control

development rather than allow what is an existing blot on the landscape to expand further.

- Of further concern is the proximity of the development to the longstanding residents of Rownall and public rights of way which pass so close to the proposed site. The risk of explosion from bulk storage lithium batteries is well documented which, combined with the inevitable severe fire risk resulting from an explosion, puts all those in the vicinity at risk; a risk that is exasperated by the proposed site being unmanned.
- The accompanying dark cloud is the impending application for the solar farm which would blanket the surrounding countryside around the proposed battery storage facility (which I understand a screening opinion from SMDC has already been sought). It can only be assumed that the battery facility has been planned as the hub for the aforementioned solar farm. If that is the case, the objection based on the effect on local wildlife and the countryside it will consume cannot be voiced loudly enough. With resident barn owls in the immediate vicinity, visiting Little owls, kestrels and a more recent sighting of a Peregrine falcon (never mind the numerous buzzards!), such a facility would amount to removal of habitat. Whilst no doubt ground-based wildlife would have the opportunity to adapt, the screening of such an area renders it useless for hunting birds of prey which would be a travesty for an area of such special interest.
- : I wish to point out the health and safety of local residents with more properties now than shown on the local planning application maps, these batteries are liable to fire and explosions especially when unmanned. Also this is good farm land as proven by its growing arable crops and being grazed by animals. This land also supports a large variety of wildlife. Rownall Road is a narrow lane with passing places and is used by a lot of walkers cyclists and horse riders

Cheddleton Parish Council

Neither object nor support. Comment that this is in Green Belt so needs to be incredibly exceptional circumstances for this to be approved which outweighs the harm. All residents' concerns with regards to noise, safety, screening, trees, bunding and safeguards to protect residents and surrounding area. Does this meet requirements for greener energy and help with climate emergency? Why is the site double the size when only half is being used for batteries and what is meant by flexible site?

Environmental Health Officer

Recommends refusal due to predicted night time noise levels

Landscape Consultant

Recommends refusal. Advises that there would be net landscape and visual harm. Landscape character is neither conserved or enhanced. Mitigation measures will address some but not all landscape and visual change. There are some landscape positives such as woodland belt planting

Local Highway Authority

No objection subject to conditions

Local Lead Flood Authority

No objection subject to condition

Staffordshire Wildlife Trust

No objection subject to conditions

SCC Mineral Safeguarding

No objection

Ramblers Association

Footpath Cheddleton 53 runs alongside where the proposed development will take place. Care must be taken to keep the path open for public use during and after work has been done.

Peak and Northern Footpath Society

We note that the PROWs Cheddleton 42, 43 & 53 are very close to the proposed site. Use of the PROW, 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 characteristic of the Green belt. This would arise from the concentrated nature of the compound which would appear urban and industrial amounting to a series of batteries/containers separated by 3m high concrete fire walls, a substation which is excavated up to 8m below ground level, 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 GB 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 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 Access to the site will be from an existing gated agricultural access on Rownall Road. From here a new access will be formed through the field leading to the site. It is approx. 200m in length and 5m in width. For the first 15m it will be constructed in a bound surface.

7.9 During the processing of the application and in response to additional information requested by the Local Highway Authority (LHA), an Access Strategy/ Construction Traffic Management plan was provided (January 2022). This now shows a widened access onto Rownall Road to accommodate heavy vehicles during construction traffic after which it is said the access would be used for only occasional maintenance access to the battery facility and access to the field. It says that the carriageway width will be 5m with widening at the immediate point of access as shown on Drawing VN212155-D100. For the first 15m the access will be of bound surface (tarmac) before transitioning into stone filled geogrid or similar material. Drawing VN212155-D100 shows the proposed access and visibility splays

7.10 The LHA has carefully considered the application and raise no objection on access grounds subject to conditions. With these in place there is compliance with relevant parts of DC1 and T1 of the Local Plan and the NPPF. The impact of the new access on character and appearance is considered separately elsewhere.

Residential Amenity including consideration of noise

7.11 There are a number of residential properties close to the application site and the amenity of the occupiers is a material consideration. The submitted Noise assessment (NA) has considered those closest to the application site; Rownall Stables (220m) , Rownall Ridge (165m away) and Rownall Hall Farm (220m away). It also notes that there are commercial buildings within these areas and that the risk of disturbance to these must also be considered.

7.12 The NA concludes that no adverse noise impact will be generated by the proposal with the mitigation proposed. It refers to the 4m high acoustic fence enclosing the entire compound and 3m high concrete firewalls between each line of sets. It is also says that the substation transformers and associated buildings will be orientated so the transformers are facing north, and they will be enclosed by a concrete firewall on three sides.

7.13 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/2022/0047 (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.

7.14 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

7.15 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 concludes that with the proposed sustainable surface water drainage strategy, there will be no increase in flood risk to the site or surrounding areas. The strategy proposes infiltration of surface water, subject to porosity tests because the site will be surfaced with a permeable gravel over a secondary stone storage media. In the event that infiltration is not feasible, an attenuation based sustainable surface water system will be used with a limited Greenfield equivalent discharge to the open channel watercourse to the south-east

7.16 The Local Lead Flood Authority have considered the submitted FRA. They raise no objection to the application subject to a condition to ensure that the development is carried out in accordance with the submitted FRA. With this in place there is compliance with Policy SD5 and the NPPF.

Heritage

7.17 There are number of Listed buildings within the vicinity of the application site. However none will be directly affected by the proposed development. The application is accompanied by a Heritage Desk Based Assessment. It considers the Grade II Listed buildings of Rownall Farmhouse, Rownall Farm Barn, Ivy House Farmhouse and Ivy House Barn to be potentially sensitive and assesses the significance of these individual buildings and their setting. It concludes that, in each case the proposal will not result in harm to the significance of the asset. In respect of the Grade II Stables to Rownall Hall it concludes there would be no inter-or-co-visibility with the application site. It says that the setting elements that contribute towards its significance are confined to the Rownall Hall estate principally its associated farmstead and immediate rural backdrop.

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

Landscape and Visual impact

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

7.20 The submitted LVIA concludes that without mitigation the effect on landscape character would be moderate/minor (adverse) and that the operational impact on visual receptor groups identified would range from Major/moderate (adverse) to Moderate/minor (adverse).

7.21 A Landscape mitigation strategy is put forward to mitigate this impact and help to assimilate the proposal into the landscape. It includes the following and suggests that the planting would take 5-10 years to establish

- All existing hedgerows, woodland and trees within the site will be retained
- A major new native woodland block will be planted in south-eastern part of the site and a new native hedgerow will be planted along the northern side of Footpath 53.
- Sufficient space between the red line boundary and the proposed acoustic fence has been retained to accommodate new standard size tree planting and sections of shrub planting around the site perimeter
- A new block of native buffer planting will be planted immediately east of the tree belt which runs through the centre of the site and new standard size trees will also be planted in gaps between trees in this existing tree line.
- Existing hedgerows around the perimeter of the site will be strengthened as necessary with infill planting. The hedgerows will then be maintained at a minimum height of 4m until newly planted shrub and woodland belts have established to a

height of 4m. Thereafter the existing hedgerows will be cut back to 2.5m in height and maintained at this height. A number of hedgerow trees will be planted at an appropriate frequency along the existing hedgerow on the eastern boundary with Rownall Road to enhance diversity.

- A new hedgerow with hedgerow trees will be planted along the southern side of the new access road to soften any views of it from Rownall Road and Footpath 53. This hedgerow will be maintained at a height of 2.5m once established.
- The strip of land between the new access road and the field boundary will be seeded with a field margin wildflower seed mix to enhance biodiversity.

7.22 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

7.23 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

7.24 In landscape character terms there is both connectivity with and influences of the open pastoral landscape to the north, east and south but also marginal influence of the Cellarhead sub-station to the west, with the sub-station largely separated by its eastern boundary planting. The overall landscape character is rural pastoral fields. The site is not considered to be a 'valued landscape' (para 174a NPPF).

7.25 In terms of landscape effects, the proposals will effectively turn the western agricultural field 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. The proposals are not considered in keeping with the wider pastoral landscape character of the Ancient Plateau Farmland even though there is the Cellarhead facility nearby. Any lighting required will add to this harm

7.26 Landscape Mitigation is shown on the Landscape Mitigation Plan (Fig 6 of the LIVIA). The ability to create strong planting buffers is acknowledged and ultimately the woodland planting belt will likely screen views to the acoustic barrier wall in an estimated 6 to 8 years. The proposed planting belt to the south is considered narrow compared to others, particularly as it is positioned adjacent to Public footpath 53 which is a primary, public viewing spot of the proposals. The Landscape consultant advises that the landscape effect on the surrounding area after mitigation can be summarised as Moderate / Minor, Adverse and Permanent. The woodland planting in the southern field is acknowledged as a landscape benefit

7.27 In terms of visual effects, the site is visible from Public footpath 53 to the south and west and from Rownall Road where existing hedge gaps exist or along the new access track. Of these it is walkers on Public Footpath 53 that have the longer duration and closer view whilst vehicle users on Rownall Road have shorter kinetic views. Footpaths 42 and 43 fall away to the east and the proposals would not become evident to walkers until they reach Rownall Road.

7.28 The 4m acoustic fencing surrounding the compound would appear artificial in terms of material, scale, regularity and its constant height compared to other built form in the contextual area. It would remain visible for a minimum of 6 to 8 years until the screen planting established and likely longer than that in parts with any failed stock or weaker growth. Visibility in winter months is also anticipated for longer until the density of growth is such that leaf cover is no longer necessary to form an effective screen. One effect of such planting is to change the appreciation of an open landscape to the west and will effectively screen off visual links to the north for users of Footpath 53. Likewise enclosing the compound with tree planting in the two other fields will visually separate the site and views across it to the east and the wider Churnet Valley. They will only be re-established when visual receptors reach Rownall Road.

7.29 The Landscape consultant assess the visual effects as Major / Moderate, Adverse and Temporary in the first instance until the mitigation planting has established when it will decrease to Minor, Adverse and Permanent. In summary the initial effects of forming the acoustic wall will be highly notable until the mitigation planting establishes and even with this planting there will still be adverse effects with long views truncated by it.

7.30 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/2022/0047 and considered elsewhere on this Agenda.

7.31 This proposal will appear as separate from the main part of the Cellarhead sub-station but there is sufficient power infrastructure in the intervening field that the overall visual effect would be appear to be associated with it, particularly if equipment such as lighting or telemetry masts appear above the acoustic fence and associated planting. This is due to it being experienced in proximity to Cellarhead as people move through this landscape. Should SMD/2022/0047 be consented and built out this site would become the eastern 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. SMD/2022/0047 also proposes an enclosure of 4m acoustic fencing facing east which could present a series of artificial straight lines set on a local ridge making them appear more prominent and being perceived with the pylons that stand higher than them.

7.32 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.

7.33 In this particular case, the conclusion reached 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 and it would lead to a prominent intrusion into the countryside. The materials and building form are clearly not sympathetic to the area

7.34 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

7.35 The application is accompanied by an Extended Phase 1 Habitat Survey and Biodiversity Impact Assessment (BIA). The Survey notes the majority of the site (two upper fields) to be cultivated arable land with narrow field margins supporting common ruderal and perennial species. Boundaries are defined by sparse hedgerows with trees. A partial hedgerow separates the two upper fields. The south-eastern field comprises semi-improved grassland which is not species rich and this grazing land is being proposed for tree planting

7.36 The Habitat survey advises that there is an opportunity to provide a 'net gain' in biodiversity by habitat creation. The small field of semi-improved grassland on the south-eastern edge of the survey area is proposed for tree planting to create a new woodland habitat and it says this should have a range of native tree and shrub species within the mix. Within this new woodland area it says that it would be possible to incorporate the following features:

- Bat boxes and bird boxes
- Refugia suitable for hedgehogs
- a wetland / soakaway area
- Invertebrate habitat such as deadwood piles, bare ground and rock piles

7.37 The updated BIA (11th March 2022) which is based on the Landscape Mitigation Plan (Figure 6 of the LIVIA) shows a gain of biodiversity units of 10.59 units (over 90% increase) and an increase in hedgerow biodiversity units of 1.11.

7.38 Staffordshire Wildlife Trust has reviewed the application on behalf of the Council. They initially raised a holding objection but have now lifted this following receipt of the updated BNG assessment. They raise no objection subject to conditions and with these in place there is compliance with Policy NE 1 and the NPPF

Mineral Safeguarding

7.39 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

7.40 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

7.41 By law this application must be determined in accordance with the Development plan unless material considerations indicate otherwise. The development has been found to conflict with Policies SS10, DC3, SD4. It does not comply with Development plan.

7.42 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 application. A summary is provided at Para 5.7.35 of the Planning Statement and in a letter from Surface planning dated 30th May 2022 as follows:

- a)The essential need for the proposals - National Grid balancing requirements;

- b)The sustainability benefits – renewable supply equivalent to the annual consumption of approximately 1,918,281 homes, or 43 years of current domestic demand in Staffordshire Moorlands;
- c)The electricity grid security benefits – helping to prevent the risk of blackouts due to shortfalls in supply compared to demand;
- d)The essential need for the application site – Cellarhead GSP provides the only suitable and available connection within 60km of the application site;
- e)The co-location benefits – the location in close proximity to Cellarhead GSP helps to secure the viability of the scheme and reduces overall landscape impact;
- f)The national security benefits – the scheme will improve the security and resilience of the UK electricity grid during a period of uncertainty around availability and cost in the global energy market; and
- g)The biodiversity benefits – the development will deliver approximately 90% biodiversity net gain through the creation of new woodland habitat.

Green Belt harm

7.43 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

7.44In addition to this Green Belt harm, there would be significant harm to the character and appearance of the area and conflict with Policy DC3 and the NPPF as set out above. The construction of an industrial compound in this rural pastoral landscape would lead to an adverse and harmful landscape and visual change. The proposal would be visually intrusive particularly from Footpath 53 and Rownall Road. Significant weight is given to this landscape and visual harm

7.45 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’

7.46 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 batter 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

7.47 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 and this limits

the weight that can be given to the applicants claim that there is an essential need for the application 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).

7.48 The proposal would deliver a net gain in biodiversity, as required by Policy NE2 and the NPPF. However in this case the gain is significant (circa 90%) albeit largely due to the extensive planting required to try to mitigate the adverse landscape and visual impact. Nevertheless it attracts moderate weight in the overall balance.

7.49 Finally the applicant says that a benefit is '*..renewable supply equivalent to the annual consumption of approximately 1,918,281 homes, or 43 years of current domestic demand in Staffordshire Moorlands*'. However Members are reminded that battery storage facilities do not in themselves generate electricity be that renewable or other sources. They provide a balancing mechanism drawing electricity from the grid when levels on the Network are above that of demand and feeding electricity stored in the batteries back into the network to meet demand when required. Accordingly little or no weight is given to this.

Conclusion

7.50 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, the landscape and visual harm and the potential noise impacts are not clearly outweighed by the other considerations. A recommendation of refusal is therefore made

8. RECOMMENDATION

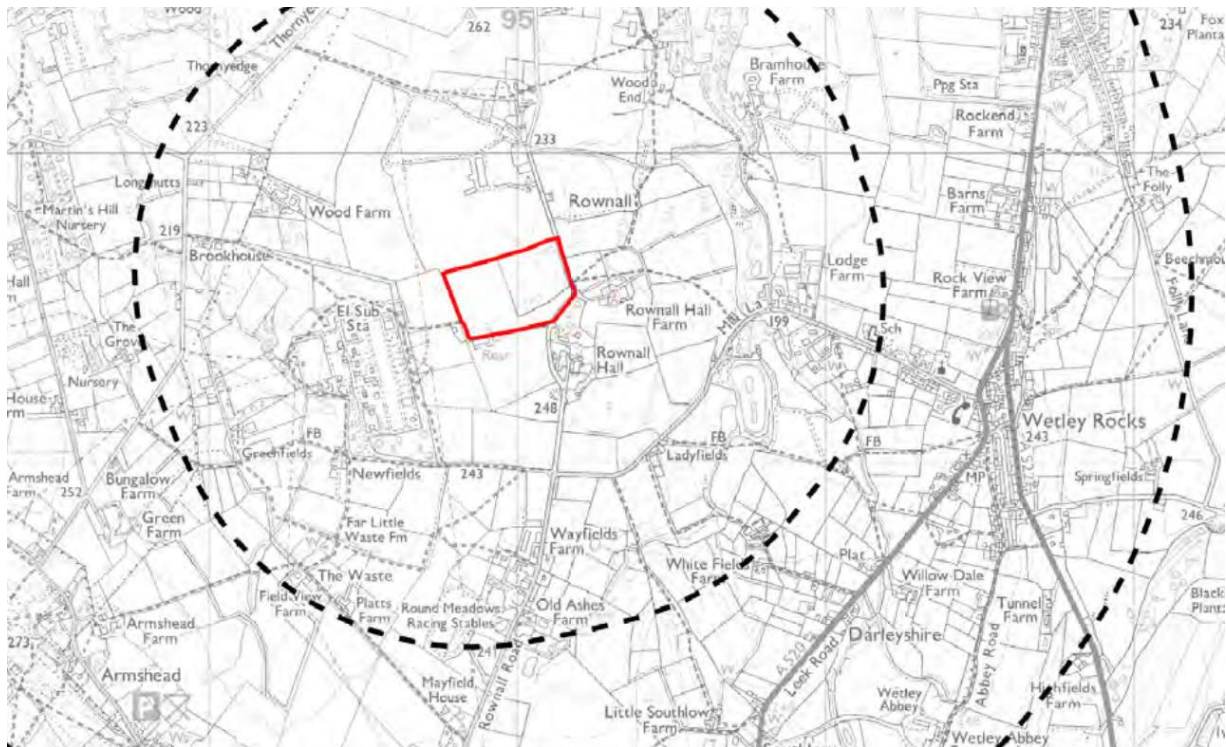
A That planning permission be refused for the following reasons:-

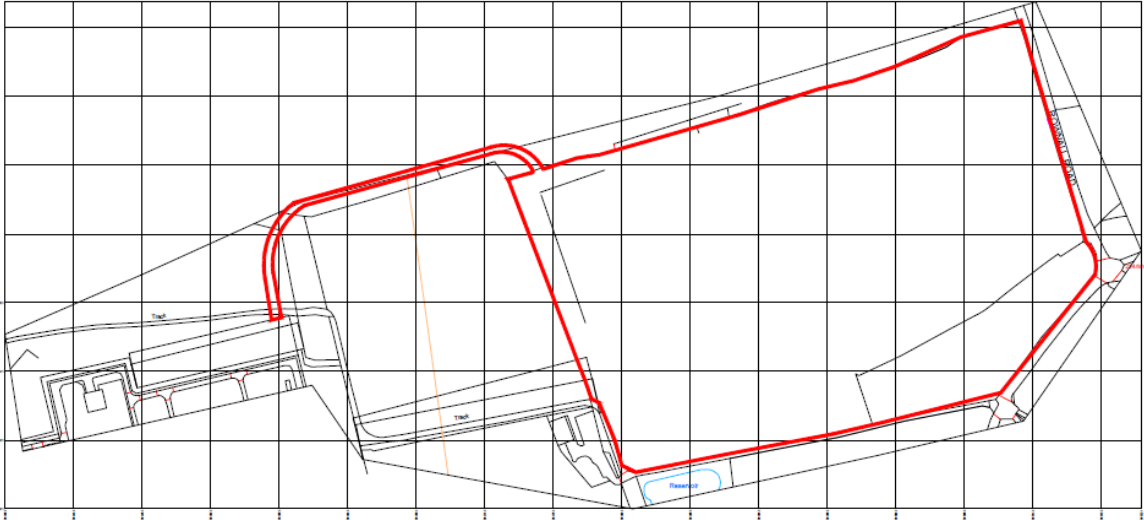
- 1. This site consists of agricultural land. It is greenfield and lies within the Green Belt. The proposal represents inappropriate development in the Green Belt which is harmful by definition. The development would, in addition significantly compromise openness by replacing open fields with a development 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 marginal influence of the existing Cellarhead substation to the east. It is considered that introducing what is effectively an industrial compound into this landscape would result in significant harmful landscape and visual change. It would neither respect nor enhance local landscape character. The site is visible from Rownall Road to**

the west and Footpath 53 to the south and west. 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. The widened and new access from Rownall Road to serve the development would also add to the harm. For these reasons the proposal does neither protect or enhance local landscape character and it would lead to a prominent intrusion into the countryside. 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.





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