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Sent by email

Our Ref. [SCC/21/0056/CON](#) Your Ref. SMD/2021/0695 17 November 2021

Dear Ms. Curley,

Consultation from Staffordshire Moorlands District Council in connection with an application to them for Planning Permission to erect a Flexible Energy Facility on Land East of Cellarhead Substation, Rownall Road, Wetley Rocks.

I refer to your consultation letter dated 27 October 2021 in connection with the above and write to confirm the observations of Staffordshire County Council, acting as the Mineral and Waste Planning Authority.

Background

The proposed development would involve the construction of a 349MW flexible energy facility, comprising 112 battery storage sets and associated switchgear, on a site adjacent to the Cellarhead Substation.

Observations

Our records 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.

Paragraph 206, of the [National Planning Policy Framework \(NPPF\)](#) and Policy 3 of the [Minerals Local Plan for Staffordshire \(2015 – 2030\)](#) aim to protect mineral resources from sterilisation by other forms of development. Specifically, Policy 3.2 states that:

Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in Appendix 6, should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:

- a. the existence, the quantity, the quality and the value of the underlying or adjacent mineral resource; and
- b. that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

Furthermore, Policy 3.3 states:

Within a Mineral Safeguarding Area, where important mineral resources do exist, except for those types of development set out in appendix 6, non-mineral development should not be permitted unless it has been demonstrated that:

- a. the non-mineral development is temporary and does not permanently sterilise the mineral; or,
- b. the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral; or,
- c. it is not practicable or environmentally acceptable in the foreseeable future to extract the mineral.

In this case, however, the Planning Statement makes it clear that nature of 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.

Conclusions

Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that the proposed development would not lead to the permanent sterilisation of significant mineral resources.

Therefore, in accordance with the powers contained in the 'Scheme of Delegation to Officers', this letter confirms that Staffordshire County Council, acting as the Mineral and Waste Planning Authority, has **no objection** to the planning application to erect a Flexible Energy Facility at Land East of Cellarhead Substation, Rownall Road, Wetley Rocks, for the reasons described above.

I trust that Staffordshire County Council's observations will be taken into account in reaching a decision on the application.

Yours sincerely,

Andrew Christelow

Senior Planning Officer

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