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Mr Davies
C/o Agent

Application no: SMD/2022/0047

Determined on: 21st June 2022

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Adjacent Cellarhead Substation Rownall Road Wetley Rocks Staffordshire

Description of Development:

Erection and operation of a Battery Energy Storage System and associated infrastructure and equipment

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref:

Site Location plan SRE1138/03/01 Rev 2
Planning application boundary SRE1138/03/02 Rev 1
Site Layout SRE1138/03/03 Rev 5
Aerial overview SRE1138/03/05 Rev 4
Internal swept path analysis SRE1138/03/06 Rev 3
Switch room detail SRE1138/03/08 Rev 2
Container detail RE1138/03/09 Rev 2
Battery container detail RE1138/03/10 Rev 1
Transformer invertor detail SRE1138/03/11 Rev 1
Paladin mesh fencing RE1138/03/12 Rev 1
Acoustic fence RE1138/03/13
CCTV layout SRE1138/03/14 Rev 3
Site access SRE1138/03/15 Rev 1
Site access construction details SRE1138/03/16 Rev 1

for the reason(s) specified below:-

1. The site lies outside of 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. No details are provided of the substation compound and therefore it is impossible to judge the impact of this part of the scheme. 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 begins 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. The proposal does not respect and enhance local landscape character and 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.
2. There are a number of residential properties close to the site. Although the predicted noise levels are low, this is a rural area with low background noise levels and it is considered that the predicted noise levels set out in the Noise Assessment could 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

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Although the applicant has tried to address some of the concerns, they have not been able to overcome the objections.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
1. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
2. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
5. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
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