

13/05/24

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Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

REQUEST FOR A SCREENING OPINION UNDER REGULATION 6 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (AS AMENDED).

Proposed installation of a battery energy storage system, 400kv substation, associated infrastructure and works

Land at Greenfields Farm Thorney Edge Road Bagnall Staffordshire ST9 9LA

I refer to your request under 6 (1) of the above Regulations for an opinion as to whether the above proposal is EIA development requiring the submission of an Environmental Statement

The proposal is for a battery storage facility. The site extends to approx. 8.9 ha and the proposal would comprise of battery compound (details not provided but maximum height given to be 3m), 400KV substation (maximum height 13m but to sit partly underground), perimeter fencing, underground cabling, internal crushed stone tracks, access improvements to Thorney Edge Road, landscaping/biodiversity enhancements and surface water attenuation measures

The proposal is Schedule 2 development. It falls within Column 1 under 3a) Energy Industry: Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1). For such development Column 2 refers to the applicable threshold and criteria being the development area exceeding 0.5 hectares. As this is exceeded in this case, a Screening opinion is required. It is confirmed that the site is not in a sensitive area as defined in the Regulations

In preparing this screening opinion the LPA has had regard to the selection criteria in Schedule 3 of the Regulations. To assist in determining whether the project is likely to have significant environmental effects the LPA has also had regard to the Indicative thresholds in the Planning Practice Guidance. This advises that key issues to consider include emission to air, arrangements for the transport of fuel and any visual impact.

The LPA also has used the recommended Screening Matrix and this letter should be read in conjunction with that.

Characteristics of the development

The size of this proposal is significantly larger than the threshold area which may suggest an EIA could be needed. The nature of the proposal would be uncharacteristic to its surroundings introducing in effect an industrial compound to a pastoral rural landscape. Furthermore, the scheme includes changes to the local topography; the excavation of land by up to 3m to sink the substation to try and reduce its impact and bunding to screen the development which has the potential in itself to appear incongruous in this landscape. The unnatural land form proposed would change the character of the landscape.

In isolation, the scale of the development is such that it is unlikely to trigger EIA development. However this is now one of 7 energy schemes that are now either consented, pending consideration or subject to appeal and all within the immediate area. There are two consented battery storage schemes to the east of Cellarhead substation (SMD/2022/0444 and SMD/2022/0548). In addition, there are two undetermined applications for BESS schemes at Newfields Farm (SMD/2024/0019); and on land to the South of Cellarhead substation (SMD/2024/0055). There is an undetermined application for a solar array on land to the north of the Cellarhead Substation (SMD/2023/0523) and an appeal for a BESS scheme on land off Armshead Road (SMD/2022/0574) is currently in progress. All of these are within the locality of the subject site, focused around the existing Cellarhead substation and in the same receiving landscape. Together these developments total an area in excess of 100 ha of rural landscape lost to energy development. These would surround the large Cellarhead Substation, which in itself is an urban form of development in an otherwise rural environment. Cumulatively with the existing sub station, other approved developments, and those other energy developments in the area which are under consideration, it is considered that the development could result in a significant landscape and visual effects . A LIVIA would be required with the planning application to assess landscape and visual impact including the cumulative impact and sense of proliferation of energy infrastructure in the receiving landscape.

In terms of ecology and biodiversity effects, the ecology of the site is unknown. However the proposal has the potential to impact upon protected species and habitats. The Wetley Moor SSSI is within 450m. Individually, the development is unlikely to have any significant effect on this SSSI, although the cumulative effects with other schemes as outline above remain unclear. There are ecological considerations that will need to be addressed through the planning application regardless. The risk of a major fire occurring on the site (which could impact a large area in terms of pollutants and potentially cause habitat loss via fire spreading) would need to be included in the consideration in terms of appropriate fire avoidance and management design/ actions during operation.

There are houses nearby whose amenity could be impacted by the proposal as a result of noise emissions from the battery containers, substation and construction traffic. A Noise Impact Assessment will be required to demonstrate that any impact identified can be mitigated so as not to add to ambient noise levels or result in undue disturbance to the occupiers of nearby residential properties. A CEMP would also be expected to minimise noise and other disturbance to amenity during construction. In isolation the proposal is unlikely to lead to significant effects. However if this proposal were to be constructed at the same time as several or all of the other schemes described above, then the effect from construction traffic and construction on site (noise, dust, vibration etc) and noise from the plant and equipment on site once operational could have a significant effect on residential amenity

The proposal it is not anticipated to have any significant environmental effects in terms of use of natural resources, waste, heritage, human health, water resources, land use, land stability and climate change.

However for the reasons expressed above there are characteristics of the development that are considered likely to give rise to significant effects for the purposes of the Regulations

Location of the development

The site is not within a Sensitive area in terms of the Regulations. The site is however within 450m of Wetley Moor SSSI and within the Wetley Moor SSI impact risk zone. Whilst in isolation it may be concluded that the effects on biodiversity are unlikely to be significant, the cumulative effects of all the approved and proposed developments on the SSSI would require greater consideration.

The site is within the Green Belt which is not, in itself, a landscape designation, although the essential characteristic of the Green Belt is its openness and permanence.

The site is within a rural area of pasture land with isolated farmhouses and dwellings. The character of the landscape will completely change for the lifetime of the development. As identified above, there are cumulative effects which would need to be considered in great detail.

Characteristics of the potential impact

This development would be an uncharacteristic feature within the local landscape, although it is noted that similar developments have been approved within the local landscape. In isolation, the type and characteristics of the potential impacts are likely to be relatively localised.

However, this development is one of a number of energy developments in the area, both approved or currently under consideration. Cumulatively, the spatial extent of all of these developments is of a significant magnitude. This is in addition to the existing Cellarhead Substation. The sheer scale of all of the proposed developments, cumulatively, is likely to have a significant landscape and visual effects on the landscape. The developments would result in the loss of the use of agricultural land for the lifetime of the developments, which could have an affect on BMV land and productivity.

If approved, there is a high probability that the developments could be constructed at the same time. Given the cumulative scale of the developments this could lead to a significant scale and intensity of movements on the local highway network, with the site accessed via rural roads. Construction vehicles are likely to be required to move through local settlements to reach the site. The scale of the developments, and the intensity of vehicular movements necessary, could have significant impacts on the overall effectiveness of the highway network. Furthermore, there is a probability of cumulative issues relating to dust, emissions, noise and vibration during construction which could affect the living conditions of the local population and noise from batteries, invertors, plant and equipment once the developments become operational. These matters therefore need to be considered together to ensure the effects can be adequately minimised.

Overall, the LPA is of the opinion that, cumulatively, the potential impacts would be of a magnitude to suggest that an environmental statement is required.

Conclusion

For the reasons noted above, and expanded upon in the attached matrix, it is considered that the development would likely have significant effects on the environment by virtue of cumulative factors such as its nature, size or location.

Under regulation 6 (6) it is hereby confirmed that, in the opinion of the Local Planning Authority, the above development is EIA development in terms of the Regulations.

Should you disagree with this screening opinion then, under 6(10) and 7 of the Regulations, you can request a screening direction from the Secretary of State.

Yours faithfully

13/05/2024

X *B.J. Haywood*

Signed by: Ben Haywood

Head of Development Services