STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE

15th December 2022

Application No:	SMD/2022/0444	
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	Cheddleton	**Date registered** 22/8/22
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk		

REFERRAL

The Committee recently determined a similar scheme on this site.

1. SUMMARY OF RECOMMENDATION

Approve with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site consists of agricultural land amounting to 9.42 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 to be sited in the most western field. The eastern field is required for the new access, bunding, landscaping and the creation of an attenuation pond. It is also indicated in the submission documents that the construction compound, facilities and lay down areas would be accommodated here. The southerly field is shown to be proposed wholly for mitigatory woodland planting.

2.3 Three trees will be removed to allow for the creation of the southern bund

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 re submission of application SMD/2021/0695, also for a Battery storage facility which was refused for two reasons as follows:- .

1. *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 protects 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.*

2. *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*

3.2 The current application seeks to address these reasons for refusal. The main changes are:-

- Ground levels are excavated within the compound to levels of between 2 m and 8m
- Bunding 2m in height is provided around the compound with woodland planting on the outer faces and grass seeding on the inner face
- An Attenuation pond is formed in the eastern field
- A new woodland block 40m wide planted along the eastern boundary with Rownall Road
- New planting to the south of the access track
- New native hedgerows
- Reduced area of compound from 33 000 sq m to 23 500 sq m achieved by rationalising the internal layout.

3.3 It is a full application for a battery storage facility. The proposal consists of

- 196 battery containers
- 49 transformer units
- 98 invertor units
- 2 switchrooms
- Substation

- Acoustic fencing
- Attenuation pond
- Access track
- Bunding
- Landscaping

3.4 The application documents refer to the fact that the area of batteries has been reduced but with no loss of benefits.

3.5 The proposal is to excavate ground levels within the compound by 2 metres for the battery containers. Greater excavation is shown for the Substation area which has a base level of 6 metres below ground level and the Transformer area, 8 metres below ground level

3.6 The compound is enclosed with earth bunding with the exception of the access point. It is said that the bunding will be 2m high compared to external ground levels and 4m high compared to the internal excavated ground. The result being no part of the equipment is visible above the top of the bund. The bund will be planted and new woodland created – see further discussion below

3.7 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.

3.8 The applicant says that the development will be temporary period of 25 years and that the proposed works are fully reversible allowing complete remediation of the site to its former state

3.9 The construction phase of the proposed development will take place over approximately 12 months and will be relatively low impact, as the majority of the required equipment will be brought to site pre-assembled ready for installation. Following its installation, the facility will be operated remotely 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.

3.10 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.

3.11 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 the Cellarhead substation is the only GSP in the region with sufficient import capacity for a connection above 200MW. He says the development will supply the current annual electricity demand of 1,918,281 homes, equivalent to meeting 43 years of domestic demand in Staffordshire Moorlands with renewable power.

3.11 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.

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

4. RELEVANT PLANNING HISTORY

The following applications affect the application site:-

SMD/2021/0695 Erection of a Flexible Energy Facility Refused

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

The following applications relate to similar proposals on nearby sites:-

SMD/2022/0180 Development of a Battery Energy Storage System (BESS) with ancillary infrastructure, security fence, access, landscaping and biodiversity enhancements, to provide balancing services to the local electricity grid at Newfields Farm, Rownall Road, Wetley Rocks.
Pending consideration

SMD/2022/0548 Erection and operation of a Battery Energy Storage System and associated infrastructure and equipment (resubmission of SMD/2022/0047) at Land Adjacent Cellarhead Substation, Rownall Road, Wetley Rocks.
Pending consideration

SMD/2022/0047 Erection and operation of a Battery Energy Storage System and associated infrastructure and equipment at Land Adjacent Cellarhead Substation, Rownall Road, Wetley Rocks.
Refused

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.

The letters of representation received both for and against the application are summarised below:-

Objections (4)

- Your own local Planning Officer considers this to be an inappropriate development within our Green Belt which does not meet the criteria of exceptional circumstances
- Appreciate that Councillors might feel current circumstances exceptional, given the present economic, political and energy crisis facing the whole of Europe this winter but even if, for these reasons, a decision is reached to consent in principle to the construction of a massive intrusive industrial Complex within our own local Green Belt, surely we have a duty of care to do it most sympathetically with the minimum of damage.
- The attached Landscape and Visual Appraisal Report confirms that the additional noise levels and the damage to the local landscape and environment would be major and considerable.
- The quality, character and openness of the Green Belt landscape, must be protected for all living residents, human and animal but, most importantly for our future generations!
- Any plan has to represent the easiest and quickest possible means of returning the landscape to its original state and appearance after the period of exceptional circumstances ends! In a further move to discourage these highly invasive developments inside the Green Belt, local authorities could consider awarding licences of less than the standard 40 year term.
- Should councillors feel the need to support this race for sustainable energy irrespective of the Green Belt consequences, the absolute need must be to choose the best location which involves the least incursion in terms of acreage and landscape damage to our Green Belt. The site location identified in application SMD/2022/0444 is the worst of the 3 identified possible alternative locations surrounding the Rownall National Grid transformer station, because:

  a)The South East corner of the battery core enclosure (not even its protective outer margin perimeter) is the closest point to Rownall Road being little more than 50m away from it, at the point opposite the double entrance of Rownall Ridge and Rownall Stables. This extremely close positioning from the very heart of the operational battery core, to the cluster of the 5 closest and most vulnerable residences brings all of the associated major risks; explosion, fire and noise directly into these homes. .

  b) Noise - The extremely close proximity of the heart of this operating centre to the 5 closest and most vulnerable neighbouring dwellings, gives rise to grave and most serious concerns regarding the very likely unacceptably high additional noise levels created? In this connection, I have sought professional sector advice, specific to this location, size and type of battery installation. I am advised that the likely overall new noise level is not only likely to be very much higher but also well above permitted legislative maximum residential noise limits! My specialist advisers make the very strong recommendation that the local authority, should before reaching any decision, insist that the developers first demonstrate

and prove by way of specific noise modelling that this plan in the worst scenario guarantees to conform to legal permitted residential noise levels, which is entirely usual procedure for such schemes and particularly relevant in this rural Green Belt location!
c) The stretch of dead straight public footpath/farm track leading from Rownall Road along the southern side of the proposed development (marks part of the horse drawn Limestone trains route from the heritage Consall Plateway to Bucknall over Wetley Common dating back to 1750 predating the North Stafford Railway). The oblique angle of this track reveals that the woodland planting of the pastural field and its bunding, which faces north east, would do little if anything to camouflage and protect the public view of the south east corner of the Battery Compound from the Farm track entrance,on Rownall Road!
d) Not only would this plan result in the most damaging visual impact to the natural rising landscape but it would also destroy the 2 large and long established wheat fields on which its sited! The present extensive views offer beautiful sunsets over the distant western horizon and are a beauty to behold and would be no more!
e) No one of course has a right to a view but, we all have not only the right but also the responsibility to protect our Green Belt for everyone and above all for the next generation!
f) This proposal now involves major and the most substantial earth movement of all the 3 identified site locations. The excavated site embankment bunding is now much closer to Rownall Road intruding within the Pastural field making eventual restoration with originality now very difficult, probably impossible?! It would also introduce significantly new site drainage challenges as The Pond becomes a very necessary catchment area for probable huge volumes of rainwater from the submerged site which in turn will require not only a new large capacity drainage system but also a substantial pumping station to draw water across the pastural field and under Rownall Road (at the entrance of Rownall Hall Farm) which, already floods seriously during winter storms! Such a pumping station would of course intrude further into the landscape and create yet more noise and an unnecessary flooding risk!!
g) The mitigating screen planting in the Pastural field could take up to 10 years or more to become established, during which time the barricaded site perimeter bunding etc will be fully visible and represent a considerable eyesore to public view.
h) Ash Die Back has already destroyed many mature trees throughout Rownall and this relentless disease has now blighted a major part of the existing mature tree canopy. Many large ash trees within the proposed site and 7 along both kerbsides of Rownall Road between the entrances of Rownall Ridge and Rownall Hall Farm are suffering and will need felling! This devastating disease has also now spread into all the mature very large ash trees in Rownall Hall Coppice which will also soon need to be felled. Sadly, I suspect those surveyed trees marked 9,10 and 11 in the plan are also already infected and their removal along with the ash trees in Rownall Road and Rownall Hall Coppice will immediately destroy a major part of the existing primary and secondary screening around this proposed site. In these circumstances, an Ash Die Back survey of the whole area should be urgently undertaken to reveal the real impact of this disease!
i) Although the traffic management responsibility along Rownall Road rests with Stoke on Trent Highways Department, SMDC nonetheless have a duty to mitigate any adverse dangerous congestion conditions arising through their own planning decisions. In this regard, again the proposed access route of this application is by far the most dangerous of the 2 so far identified options. Rownall Road is already an extremely busy rural rabbit run and shortcut avoiding Leek from Endon to The A520 south at Cellarhead and carries a continuous stream of traffic all day, every day. This traffic includes many larger heavy vehicles, the most regular users being Stantons buses from their Dept in Park Lane, Stanley Head Outdoor Eduction Centre Buses, and A.P.Proteins large articulated 40 ton trucks and very large Farm tractors . In recent weeks also, Eddie Stobart articulated trailers

now are being stored behind the existing large green agricultural sheds at Rownall Farm(Sylvesters Land)?! In view of the already heavy, frequent and growing use of Rownall Road by 40ft articulated trucks, it would be essential that a two way traffic management system be installed for the 12-18 month period of construction along the largely single track most dangerous stretch of Rownall Road between Mill Lane and Rownall Hall Farm. Construction traffic should not be permitted to use this road during peak commuting/school run times or weekends!

- The authors of the Landscape and Visual Appraisal Report dated July 2022, were asked to include the cumulative landscape impact of the other 2 refused applications, namely: SMD/2022/0180 Newfields BESS and SMD/2021/0047 Sirius BESS in anticipation that both will be imminently resubmitted and considered concurrently. Of course, this information can only be used comparatively to determine which of the 3 possible plans involves the least landscape intrusion damage although it is quite apparent, this site location is the worst of the 3! Planning regulation empowers local authority Councillors to only judge and decide on each application according to its individual merits. So, in this instance Councillors can only decide if this is the most suitable location?! The report emphasises, should all 3 projects be constructed simultaneously, the disruption and impact to the local landscape would be major and considerable
- In regard to deciding upon the most suitable possible location, Councillors attention should be drawn to the Sirius BESS site location proposal forming the basis of the previously refused application SMD/2021/0047. Albeit in different land ownership, this location carries considerable and very significant merit in terms of landscape benefits over this resubmitted SMD/2022/0444 application! The major benefits being:

  a. The Sirius BESS land proposal immediately borders the neighbouring National Grid transformer station and allows direct access/connection into it. i.e. no intermediate fields sandwiched in between.

  b. The land at the Eastern point of the proposed Sirius BESS site (west of the agricultural buildings at the end of the farm track leading from Rownall Road), falls naturally from a height East to West down to towards the lower level of the National Grid transformer station which sits in a natural land depression (part of the original National Grid site consideration)! This would greatly assist in reducing the visual intrusion from all sides and the need for costly landscape mitigating measures. Little or no earth moving and/or excavation would be involved as the battery compound would in all probability not need to be submerged!

  c. The location would facilitate direct connection into the National Grid avoiding lengthy underground cabling routes and associated safety and security measures.

  d. This location is much further away from Rownall Road and therefore much safer for the 5 closest dwellings being, Rownall Ridge (formerly Rownall Hall), Rownall Stables, Home Farm House, Dove Cottage and Rownall Lodge.

  e. The present quality of life for these 5 residences along Rownall Road would be largely maintained as construction disturbance and the resultant risks of residential collateral damage from explosion, fire, noise would be greatly reduced being that much further from Rownall Road!

  f. The Sirius BESS plan completely avoids construction and operational traffic using the very dangerous largely single track section of Rownall Road between Mill Lane and Rownall Hall Farm since the National Grid have now consented to wayleave access along their private entrance road!

- This is a ridiculous proposal

- We are in a green belt area so do not want it spoilt by awful battery storage covering acres of good farmland.
- There are plenty of brownfield sites in the area to cater for this. So much for farming and looking after the countryside and wildlife.
- This and other applications should NOT go ahead.
- This development is within the green belt which is designed to prevent urban sprawl. This development contravenes the guidelines for the green belt
- Having spoken to several solar & battery farm owners none of them are near any sub stations. At the meeting in June it was stated that they had to be near a substation this is not the case, they should be put on suitable land and not visible, not good food producing land. Putting these batteries on greenbelt agricultural land increases our countrys carbon footprint by the need to import the wheat this land has produced. Farm workers will lose their jobs, this land has been worked to produce wheat for several years these jobs will be lost! How can high fences, concrete walls, high lights, cameras and huge mounds of soil not ruin this lovely countryside and all the wildlife that lives here, Farming and grazing of land is needed for wildlife to survive. Out of the 3 applications for batteries in this area this is the worst placed one, it is opposite properties, runs alongside the rural lane of Rownall and needs the most work and will cause a lot of disruption. It is liable to cause flooding, surely with all the digging out and lowering of the land it would be impossible to reinstate this land back to the original field. Some of the ash trees surrounding this site have die back and need felling will they be replaced? Who will be responsible for the maintenance of trees planted, will they be replaced if they die? Trees will not hide this huge development on greenbelt land, there will be gaps between them. Large mounds of soil are not natural on rural greenbelt land!

Support (1)

The Planning Committee has overwhelmingly and unequivocally voiced in favour of the principle of the previous application at this site (SMD 2021/0695), despite the substantial hurdles that so rightly protect the Green Belt.
The permanent landscape impairments identified in the Conservation officers report now range from minor to negligible; taken together with the very sensible planning conditions suggested in section 9 of his report they provide the grounds for approval of this application and delivery of the committees previously expressed desires.
In their Planning Statement (sections 5 and 6 and passim) the applicant has comprehensively provided further evidence to remove any lingering doubts as to why battery storage needs to be at Cellarhead.
Because of the overwhelming nature of this evidence (and the previous decision) we do not propose to rehearse in detail all of the arguments that Moorlands Climate Action advanced both in writing and in person with regard to the previous submission.
since the previous decision, the reasons for increased energy security at home have become even more compelling. Increased flexibility in the electricity supply system (including battery storage) is central to achieving this goal.
While the Planning Committee is not an executive arm of the council, we regard the clear decision in favour of the principle of battery storage at Cellarhead (whilst adhering to national and local planning guidelines) as evidence of a renewed seriousness towards the councils own Climate Agenda.
We note that after the original decision, the Planning Department felt it necessary to hold a session for councillors on the principles of the Green Belt and this despite constant complaints

that department is stripped bare of resources and the painful and public acknowledgement that it has effectively lost control of the housing supply element of the Local Plan.
We respect the body of expertise located in the Planning Department but equally respectfully suggest that if there is one element of planning already engraved on members hearts it is the Green Belt and that the scarce resources of the department might better be deployed other than in a rear-guard action against renewable energy.
We renew MCAs suggestion (informally supported in conversations with Cabinet Members) that all major applications are referred to the SMDC Climate Officer for opinion in the same manner as is done for other internal and external bodies.

Cheddleton Parish Council
Strongly object on Greenbelt land.

Environmental Health Officer
No objection subject to conditions. Advises that the revised Noise Assessment details improved mitigation including a bund(section 4.5). The predicted noise impacts in Table 4.2 now comply with the Environmental Health standard condition which should mean that neighbourhood amenity is protected. The assessment predicts no adverse impact to amenity of residential properties.
The noise rating level is predicted at a maximum of 21dBA at 1m from the façade of the nearest residential property which is 165m. There is a correction of +2db for tonality. The lowest background level is 23dBA La90. This indicates the standard condition advised by Environmental Health would be complied with.

Landscape Consultant
No objection subject to securing the landscape and visual mitigation measures in order to address net landscape harm and adverse visual harm

Local Highway Authority
No objection subject to conditions

Local Lead Flood Authority
No objection subject to condition
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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
No objection

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

7.2The application site is a greenfield site which lies within the Green belt. The proposal represents inappropriate development in the Green Belt. Officers had recommended refusal of the previous application, SMD/2021/0695 finding that the substantial harm to the Green Belt occasioned by the proposal and other harm was not clearly outweighed by other considerations.

7.3 However Members took a different view, as they are entitled to do, and found that in this particular case the 'other considerations' put forward by the application were compelling and clearly outweighed the harm. As such they found the principle of the development to be acceptable and in accordance with the relevant part of Policy SS10 and the NPPF.

Access

7.4 As in the previous application, 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. Rownall Road is a classified road with a speed limit of 60mph. The road has no footways on either side of the carriageway. It is an unlit road.

7.5 The application is accompanied by an Access Strategy/ Construction Traffic Management (Vectos 1/08/2022). This has been carefully considered by the LHA who raise no objection on access grounds subject to conditions. They comment that current records show there were no Personal Injury Collisions on Rownall Road either side of the proposed access in the previous 5 years. With conditions 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

7.6 The previous application was refused on grounds that 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 and that this would potentially adversely impact on the amenity of nearby residents in conflict with Policy SD4. The current application seeks to address this reason for refusal.

7.7 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.

7.8 The NA refers to ambient noise levels and indicates that the background noise level, LA90,5mins, typically falls to a level of 30 dB(A) during the daytime period of (07.00 – 23.00 hrs), and 23 dB(A) during the night-time period (23.00 – 07.00 hrs). It establishes that the three main noise sources will be the power station sets, the battery containers and the substation.

The proposed attenuation includes the erection of a 4m high acoustic fence around the perimeter of the compound, a 3m fire wall in between each line of sets and finally the orientation of the substation transformers and associated buildings to the transformers to face north and enclosed by a concrete firewall on three sides. With this attenuation the NA concludes that the predicted noise levels indicates that these would be significantly below the British Standard 8233 guidelines for residential occupation during both day and night time. On this basis it concludes that with attenuation will not have a significant adverse impact on nearby residential properties.

7.9 The Environmental Health Officer has carefully considered the application. He says that the predicted noise levels now comply with the Councils standard condition which he says should mean that neighbourhood amenity is protected. As such he raises no objection to the application subject to a number of conditions including securing noise limits on all fixed plant/machinery within the development and controlling construction activity and times of work. With conditions in place there is compliance with Policy SD 4 and the NPPF which says that planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from new development. The previous reason for refusal for refusal is therefore addressed.

Flood risk

7.10 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 confirms that infiltration is not an option and therefore an above ground attenuation pond is proposed in the eastern most field with greenfield equivalent discharge to the watercourse to the south -east. As a result of the substation and transformer unit being significantly below ground level there will be a need to pump surface water to the gravity surface water drainage system.

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

Heritage

7.12There 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.

7.13 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

7.14 The previous application was refused on grounds of harm to the character and appearance of the area. The current application seeks to address this reason for refusal.

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

7.16 The proposal involves significant excavation of the compound area. This is to depths of between 2 metres and 8 metres. The excavated material will be used to create the bunding. It is not clear if this is a neutral operation and clarification is being sought from the applicant but in any event the operation could be controlled through conditions.

7.17 The submitted LIVIA concludes that in terms of landscape character, large scale effects would be seen on the site itself where there would be a fundamental change from arable farmland to a battery storage facility. This large-scale effect would, it says extend 200m to Rownall Road and Footpath 53 where there would be intermittently clear or filtered views of the raised embankments around the battery storage compound. Medium scale effects would extend in an approx. 500m radius of the site. The LIVIA concludes that within the site itself the large and medium scale effects on landscape character would remain for the operational lifetime of the site. However due to mitigation planting, effects beyond the boundaries of the site would reduce to Small or Negligible over a period of 5-10 years. It assesses that prior to the establishment of mitigation planting there would be an effect of Moderate/Minor significance (adverse) on landscape character reducing following the establishment of mitigation planting (assumed to be between 5 - 10 years) to Minor significance (adverse). During construction there would be localised Large scale effects within approximately 500m of the site. These effects would be short term and temporary. There would be an effect of Minor significance (adverse) on landscape character.

7.18 In terms of visual effects, the LIVIA concludes that prior to the establishment of mitigation planting, Moderate/Minor (adverse) effects would be experienced along Footpath 19 and intermittently along Rownall Road. Once established the mitigation proposed would reduce these effects to Minor or Negligible significance. It goes on to say that prior to the establishment of mitigation planting the landscaped raised embankment along the southern, western and eastern boundaries of the battery storage compound will be prominent in views along Footpath Cheddleton 53 between Rownall Road and Cellarhead Substation. It says there would be a Major/Moderate (adverse) effect on views from this footpath in the medium term until new mitigation planting establishes. In the long term, once established the mitigation planting would reduce the significance of the effect to Moderate/Minor (adverse).

7.19 It says that temporary short-term Major/Moderate (adverse) effects would also be experienced during construction along the Footpaths 53 and Moderate (adverse) effects along Rownall Road and Footpath 19.

7.20 The LIVIA also assesses cumulative impact with two other battery storage applications currently pending consideration by the Council; SMD/2022/0548 (Sirius) and SMD/2022/0180 (Newfields Farm) It says that because the proposed development is to the east of the substation and the Newfields Farm to the west, there would be no cumulative effect on landscape character if these two developments went ahead. If the proposed development and the Sirius scheme were both to be developed the landscape effects would be Moderate. However it says that the combination of localised topography, surrounding woodland blocks and tree belts are such that the combined effects on the wider landscape are extremely limited and would not extend far beyond their respective boundaries.

7.21 In terms of cumulative visual effects, it says there would be no location where the proposed development would be seen with the Newfields Farm scheme. If the proposed development and the Sirius scheme proceeded the LIVIA concludes that there would be sequential effect along Footpath 53 (between Rownall Road and the substation). From certain locations along this Footpath both the proposed development and the Sirius BESS would be visible in succession or occasionally in the same arc of view. The overall cumulative effect on the footpath would be Major/moderate and adverse.

7.22 A Landscape mitigation strategy (Figure 6) is put forward to mitigate 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:

- The vast majority of all existing hedgerows, woodland and trees within the site will be retained and protected during construction although 3 trees will be removed,
- A native woodland block will be planted in the eastern field, towards Rownall Road, and in the pastoral field in the south-eastern part of the site and a new native hedgerow will be planted along the northern side of Footpath 53. The proposed woodland planting block which varies in width between 30m and 50m would contain a mixture of standard size trees (reflecting locally prevalent species) and smaller understory woodland planting.
- The raised embankments to the south, west and north of the site will be planted with a native woodland mix on the slopes facing out, with the internal slopes seeded with a suitable grass mixture, with the former initially softening and ultimately screening the acoustic barrier and the development behind it. Sufficient space between the red line boundary and the raised embankments to the south, west and north, has been retained to accommodate a native scrub mix. A section of hedgerow will be planted adjacent to Footpath 53 as it runs west from Rownall Road. The hedgerow, scrub and woodland planting will soften and screen views from Footpath 53 to the south and west of the site. The scrub and woodland planting along the northern edge of the site will similarly soften and screen views from the north (e.g. Footpath 19).
- A new block of native woodland planting will be planted on the raised embankment immediately east of the tree belt, which runs through the centre of the site, which will further screen any glimpses of the acoustic barrier from Rownall Road and further east (Wetley Rocks).
- 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 3m 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 new hedgerow with hedgerow trees will be planted along the southern and northern 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.
- An area in the southeast of the eastern field will be designated for potential water retention associated with the drainage required from within the battery storage compound. It is anticipated that this will be seasonally wet and at the time of writing, calculations had not yet been finalised to indicate the size and depth required.

7.23 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

7.24 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

7.25 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).

7.26 In terms of landscape effects, the proposals will effectively turn the western agricultural field site into an industrial compound. The Council's 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.

7.27 The Consultant acknowledges the ability to create a series of strong planted bunds around the lowered facility and says that they would effectively and immediately screen out views of the acoustic barrier. Concern was expressed about the lack of a continuous bund to the south west corner of the compound. This has been addressed in an amended plan which now shows a continuous bund. He advises that the construction stage landscape effects of excavating the battery compound and forming the earth bunding will of course be much larger than the previous scheme and this adverse effect would remain until the bunds are grassed over and the planting upon them starts to establish. He cautions that the bunds even with careful design will appear as artificial features within the rural landscape until their ground form is hidden from sight by the woodland planting set upon them or in front of them.

7.28 The Consultant assesses the amalgamated landscape effects beyond the site boundary as Major/moderate (adverse) reducing to Minor, Adverse and Permanent will mitigation.

7.29 The woodland planting across the site is acknowledged as a landscape benefit. Its long-term management as a diverse broadleaf woodland would need to be secured through a Landscape Management and Maintenance Plan. This can be conditioned.

7.30 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.

7.31 The enclosing acoustic fence in the original scheme was previously considered artificial in terms of material, scale, regularity and constant height compared to other built form/boundaries in the contextual area. However, with this application it would effectively be set in the ground by

the proposed 2m of excavation and the upper 2m screened by the earth bunding which is to be planted. The plans show woodland planting on the outer face of the bund and grass seeding on the inner site - facing side.

7.32 One effect of such planting and the bund is to change the appreciation of an open landscape to the west. The proposal will effectively screen off visual links to the north for users of Footpath CH53. Likewise enclosing the battery park 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. On establishment this quantity of woodland edge planting, combined with the existing mature tree lines will make the three fields appear largely wooded in nature instead of pasture fields.

7.33 The additional 40m wide woodland block set to the west of Rownall Road will screen views up from Rownall Road to the proposed development which would be the earth bund to the east of the battery park. It is anticipated that the screening would take 6 to 8 years to become totally effective at blocking views west. Other views from Rownall Road exist to the south through roadside boundary breaks but these would be screened by bunding and planting in the triangular field.

7.34 The Consultant advises that the planting and bunding will appear as an artificial landform at first and it is anticipated to look raw until a full grass sward has developed and the native tree and scrub stock has knitted together canopy wise. On establishment and with ongoing management the woodland planting it has the ability to appear like small areas and lines of native woodland.

7.35 Visual effect has been assessed as Moderate, Adverse and Temporary in the first instance until the mitigation planting has established when it will decrease to Minor, Adverse and Permanent. It is still classed as Minor, Adverse as views will be to woodland whereas before the views were more open.

7.36 In terms of cumulative effect, the two main effects to consider are firstly with the substation and secondly with the similar scheme to the south west promoted by Sirius SMD/2022/0548. If this latter were also to go ahead, there is no reason to disagree with the applicants LIVIA that cumulative landscape effects would be Moderate. There will be a perception of a spread of power development and change from rural pastoral landscape to one that is being used for the power industry. In terms of cumulative visual effects there would be sequential effect along Footpath 53 (between Rownall Road and the substation). From certain locations along this Footpath both the proposed development and the Sirius scheme would be visible in succession or occasionally in the same arc of view. The overall cumulative effect on the footpath would be Major/moderate and adverse. This is because the current footpath character of passing through an open, pastoral landscape of reasonable scenic quality will change to one of passing through plantation woodland with occasional fields left within it. It will no longer appear connected into a wider, open landscape until users are east of Rownall Road and the three power schemes (substation, this development and the Sirius scheme) are behind and the Churnet Valley opens up in front.

7.37 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.

7.38 In this particular case, the conclusion reached for the reasons above is that the proposal cannot be classed as leading to a net improvement in local landscape character which is an open, pastoral landscape. It will however add woodland and hedgerow characteristics to the area which it could be argued are features of the local landscape. The proposal would be an intrusion, changing pastoral fields to an 'industrial' character. Initially the bunds even with careful design will appear very artificial features within the rural landscape. They will however begin to assimilate into the landscape in 3 – 4 years once they have greened over and they no longer appear new and raw. In 6-8 years the mitigatory planting will be effective in screening views from west. There will also be a cumulative impact with the adjacent substation and from the scheme submitted under SMD/2022/0548 if it were to go ahead with a perception of spread of power development and landscape and visual change.
The application does provide an opportunity to secure the positive management and monitoring of the proposed field margin seeding, hedgerow planting, woodland belt creation and attenuation pond (depending on water management) to demonstrate a long term net gain in biodiversity. Many of the design amendments recommended by the Council's Landscape Consultant have been incorporated in amended plans. Others can be secured through conditions. On balance there is now considered to be compliance with Policy DC 3 and the NPPF. The previous reason for refusal relating to landscape and visual harm is addressed.

Biodiversity

7.39 The application is accompanied by the Extended Phase 1 Habitat Survey and Biodiversity Impact Assessment (BIA) submitted for the previous application, a new Biodiversity Offset and Mitigation Assessment and Biodiversity calculation. 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

7.40 The Biodiversity offset refers to the following mitigation measures to be included in the proposals:-

New Native Shrub Planting: 0.81 hectares
New Broadleaved woodland Parkland Planting: 0.87 hectares
New Field Margin Seeding to neutral grassland: 0.36 hectares
New wetland / inundation S/W habitat: 0.13 hectares
New Hedge Planting: 3,600 linear metres

It says that the existing mature trees and hedgerows around the arable field and adjacent to the southern boundary of the cultivated land will not be disturbed. Further tree, hedgerow and shrub planting is proposed to provide screening for the development area and access track and a small field of good quality semi-improved grassland on the south-eastern boundary of the cultivated land is to be utilised to create a broadleaved parkland area to extend a small woodland compartment that is adjacent to this. Additional native tree and shrub planting is proposed along the eastern boundary and within the interior of the site

7.41 The updated BIA (November 2022) which is based on the Landscape Mitigation Plan (Figure 6 of the LIVIA) shows a gain of habitat units, 5.82 units (65% increase) and an increase in hedgerow units of 1.29.

7.42 Staffordshire Wildlife Trust has reviewed the application on behalf of the Council. They raise no objection subject to conditions and with these in place there is compliance with Policy NE 1 and the NPPF

Mineral Safeguarding

7.43 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

7.44 Three trees are shown to be removed on the Landscape Mitigation Plan. All other trees and hedgerows are retained and can be suitably protected during construction to ensure no conflict with Policy NE2

Planning balance

7.45 By law this application must be determined in accordance with the Development plan unless material considerations indicate otherwise. In the previous refused application, SMD/2021/0695 Members recognised that the proposal amounted to inappropriate development in the Green Belt but they found that the very special circumstances put forward by the applicant to be compelling and that these 'other considerations' clearly outweighed the harm in this particular case. As such no conflict with the relevant part of Policy SS10 or the NPPF was found.

7.46 As discussed above the application has now addressed the previous reasons for refusal in respect of character and appearance and residential amenity. The application therefore complies with the Development plan and a recommendation of approval is made

7 RECOMMENDATION

A That planning permission be granted subject to the following conditions:-

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2.The development hereby permitted shall be carried out in accordance with the following approved plans: [INSERT]*
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3.No development shall take place until such time that full details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- Acoustic fencing
- Hard surfacing
- Facing materials
- External lighting scheme endorsed by a suitably qualified acoustician and ecologist

The development shall be carried out strictly in accordance with the approved details

Reason:- To protect the character and appearance of the area, residential amenity, flood risk and biodiversity

Construction & Demolition Impacts:

4.During the construction phase the following must be adhered to at all times:-

a)Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
b)No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

Reason: To protect the amenities of the area during construction

Construction & Demolition works: Time of operations

5. All construction works and deliveries shall be restricted to the following times of operations.

- **08:00 - 18:00 hours (Monday to Friday);**
- **08:00 - 13:00 hours (Saturday)**
- **No working is permitted on Sundays or Bank Holidays.**

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

Report of Unexpected Contamination

6. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found is any time when carrying out the approved development are is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

BS4142 Limit on external noise levels produced by fixed external plant

7.The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

Maintenance of Batteries

8..All equipment and infrastructure associated with this development must be constructed and maintained throughout the life of the development so as to prevent any discharges or spillage that may cause pollution of the surrounding land, underground strata or watercourses .

Reason: To prevent pollution of the Environment

Highways/Access

9.On commencement of works, the access shall be upgraded and improved in accordance with drawing VN212155-D100,including drainage interceptor and outfall. The improved access shall be retained for the duration of the construction works and returned to standard field access on completion of works in accordance with details to be first submitted to and approved in writing by the Local Planning Authority

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety and the character and appearance of the area

10. No development shall take place, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i) a site compound with associated temporary buildings:
ii) the parking of vehicles of site operatives and visitors;
iii) loading and unloading of plant and materials;
iv) storage of plant and materials used in constructing the development;
v) wheel wash facilities;
vi) mechanical road sweeper for existing carriageway;

Reason:- To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety and to ensure the development can be constructed without undue inconvenience to road users and ensure the highway is kept clean and clear.

Archaeology

11. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication.

The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved. The development shall not be brought into use until the site investigation and post-excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved and that provision has been

made for analysis, publication and dissemination of the results and archive deposition has been secured.
Reason:- To protect archaeological interests

Landscape/Visual Impact

12. Notwithstanding the submitted details, no development including site clearance and levelling shall commence until such time that a detailed hard and soft landscape mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Landscape Mitigation Plan (Figure 6 of the LIVIA) and be at an appropriate scale. The soft landscape proposals approved shall subsequently be implemented in the first growing season after construction has commenced and replacement of dead, diseased or dying stock should be undertaken in accordance with the Landscape Maintenance and Management to be approved under Condition 14.
Reason:- To protect the character and appearance of the area

13.No tree felling is to be undertaken on, or excavation within root protection areas, shall take place without the express written agreement of the Council's Arboricultural Officer and after consideration of tree sensitive construction processes
Reason:- To protect the remaining mature tree stock that contributes to the local landscape

14.No development shall take place until such time that a Landscape Maintenance and Management Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority including measures for its operation for the life of the development.
Reason – To reflect the importance of the soft landscape mitigation proposals for the local landscape character.

15. No development shall commence including site stripping and clearance until such time that a Materials Management Plan (MMP) that defines the excavation and bund formation processes and provides detailed drawings of the proposed raised earthworks has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of the character and appearance of the area

16.No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.
Reason:- In the interests of the protection of important landscape features which contribute to the character and appearance of the area, biodiversity and protected species

17. No development shall take place including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations or the prevailing standard and these shall be

retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.
Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity

Flood risk

18.Notwithstanding the submitted details, no development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. It should include the following albeit this list is not exhaustive:-

- Detailed Drainage Design - Final, detailed version of the surface water drainage

layout as detailed by Appendix F to the approved Flood Risk and Drainage Assessment (July 2022). The layout should include all pump information, manhole information (manhole ID, diameters, cover levels, invert levels), pipe information (diameter, gradient), headwall information (invert levels), detail of the pond (i.e., top level, bank gradient, base levels etc). An engineered outfall should be avoided in favour of a simple ditch from the pond to the watercourse, with a small wetland area
The use of pumped systems in the drainage design must conform to the requirements of Local Standard N of the SCC SuDS Handbook.

- Management and maintenance Plan

Provision of a management and maintenance plan/ regime for the site. The plan should include the maintenance arrangement/ schedules for the pumping system, the drainage network (i.e., manholes and pipes), control devices (i.e., the hydro brake) and the attenuation basin (i.e., mowing, seeding, silt clearance etc.). The plan should include a named body responsible for undertaking the management and maintenance of the drainage system over the lifetime of the development.
In addition, as a pump is proposed, the plan should detail the management and maintenance regime for the asset, including the use of alarms and emergency procedures. The plan should include a named body responsible for undertaking the management of the pump system to ensure any emergency requirements are undertaken should the pump fail). Thereafter the development shall commence strictly in accordance with the approved surface water drainage scheme.

Reason:- To ensure that a satisfactory Surface water drainage scheme is in place and to minimise flood risk and in the interests of biodiversity

Biodiversity

19. No development shall commence until such time that a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. It should include the following although this list is not exhaustive
(1) Details of habitat creation and species enhancements
(2) Updated BNG calculation using latest Defra metric and UK Habs baseline and post-intervention plans
(3) Soil preparation details.
(4) Appropriate planting/ seeding specifications.
(5) Long-term habitat management plan.
The development shall be carried out strictly in accordance with the approved LEMP
Reason:- In the interests of biodiversity enhancement and to ensure a new gain in biodiversity

20. The development hereby approved (including site stripping and site clearance) shall be carried out strictly in accordance with the recommendations set out in the Extended Phase 1 habitat Survey report (Jan 2022) relating to the precautions to be taken for nesting birds when work takes places near to or on hedgerows and trees and the precautions to be taken for mammals (as per pages 24 and 25)
Reason:- In the interests of biodiversity protection

Site restoration

21. Within 25 years following completion of construction of the development hereby permitted, or within 12 months of the cessation of operational use or within six months following a permanent cessation of construction works prior to the battery facility coming into operational use, whichever is the sooner, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than twenty-eight working days following cessation of power production. The site shall subsequently be restored to a pasture field in accordance with a scheme and timescale, the details of which shall be first submitted to and approved in writing by the Local Planning Authority no later than six months following the cessation of power production. (Note: for the purposes of this condition, a permanent cessation shall be taken as a period of at least 24 months where no development has been carried out to any substantial extent anywhere on the site).
Reason:- In the interests of the Green Belt and character and appearance of the area

22.Any other conditions deemed to be necessary by Officers

Informatives

1.This application has sought to address the previous reasons for refusal relating to landscape/visual impact and residential amenity. For the reasons set out in the Committee report the amendments made to the scheme together with the mitigation measures adopted have addressed the previous reasons for refusal. A sustainable form of development has been negotiated with complies with the provisions of the NPPF

2.Your attention is drawn to the comments of Ryder Landscape Consultants dated 21st October 2022 in relation to design considerations of the proposed bunding. These should be taken into consideration when applying to discharge the relevant planning conditions

3.Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

- Any approved noise scheme and measurements should pay due regard to the Professional Guidance on Planning and Noise (ProPG), British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014

Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance

- During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

- If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Ageny https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm

  - Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

  - The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and “appropriate person”. In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

  - Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

  - During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

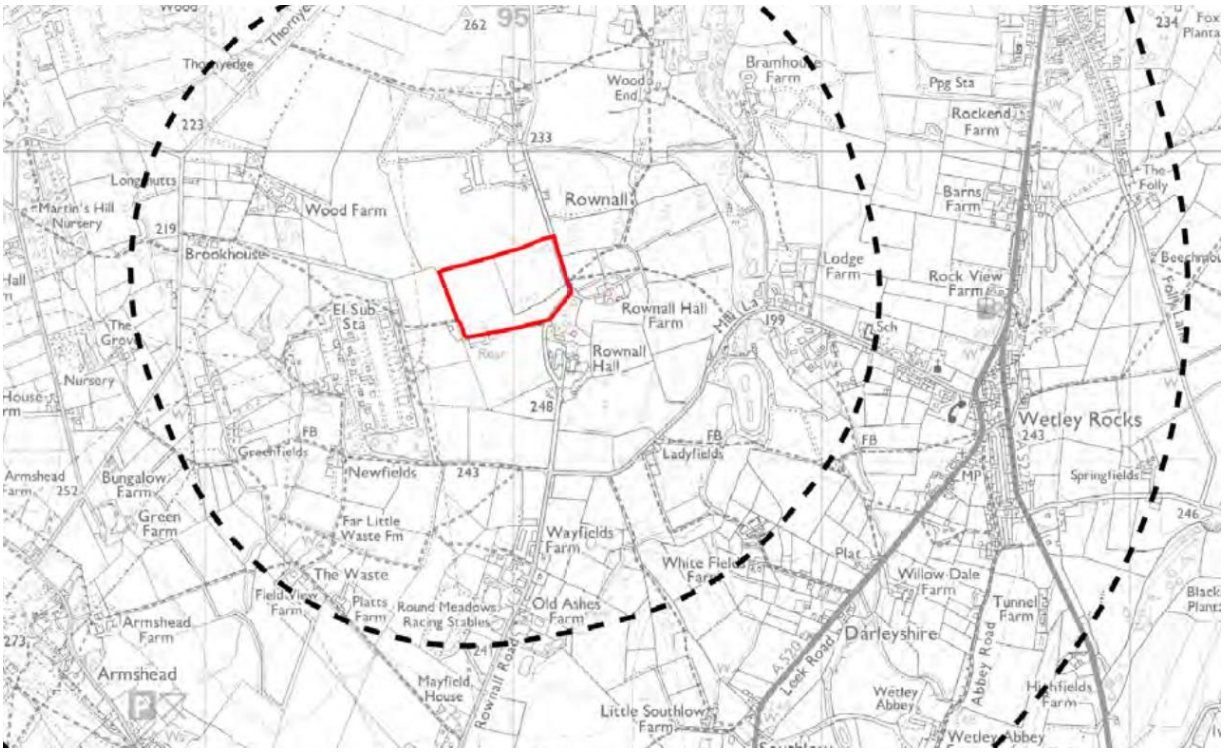
  - The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

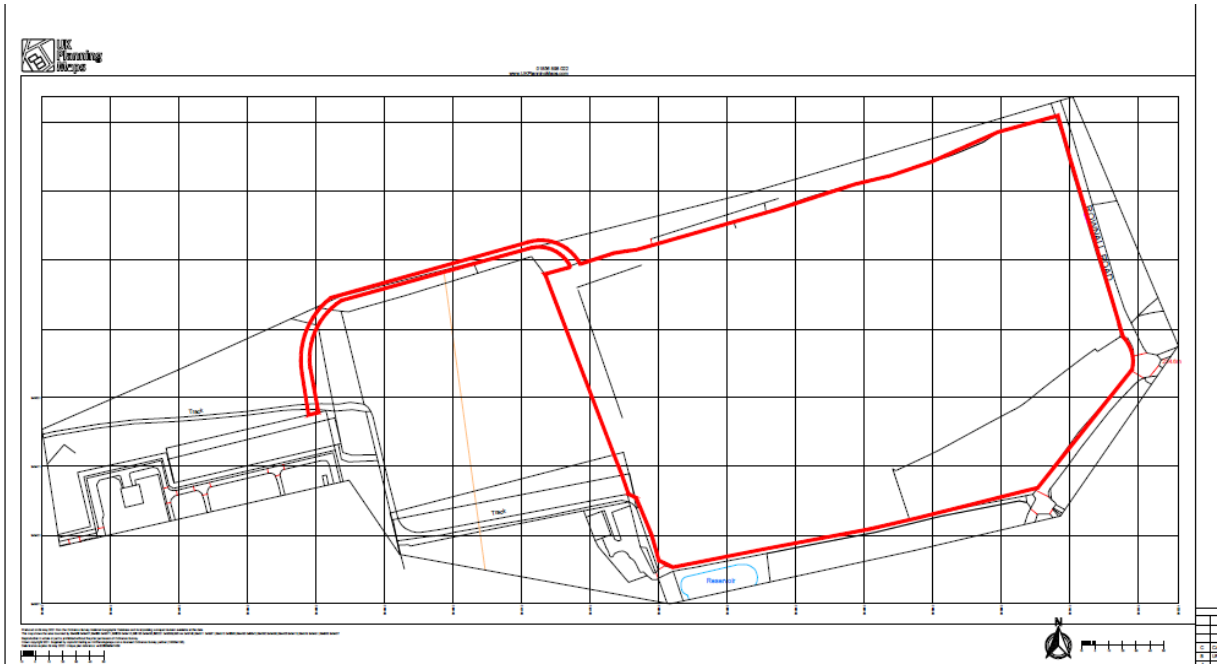
  - Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

The widened access crossing to the site from the highway shall be constructed in accordance with the submitted drawing and SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Although the pack refers to dropped crossings,a S184 notice is required for an access leaving the carriageway and crossing highway verge. Please complete and send to the address indicated on the application form which is Staffordshire

County Council at Network Management Unit,Staffordshire Place 1,Wedgwood Building,Tipping Street,STAFFORD,Staffordshire,ST16 2DH. (or email to trafficandnetwork@staffordshire.gov.uk@staffordshire.gov.uk)
http://www.staffordshire.gov.uk/transport/staffshighways/licences/

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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