

Proposal: Erection of a Flexible Energy Facility, associated works, landscaping and habitat creation

Secretary of State's case reference: PCU/EIASCR/B3438/3349992

Schedule and category of development: 3 (a) Industrial installations for the production of electricity, steam and hot water

WRITTEN STATEMENT

The development is considered to be Schedule 2 development as it is a type of project identified in paragraph 3a of Column 1 and exceeds the threshold of 0.5 ha in Column 2.

The Secretary of State has considered whether the proposal is likely to have significant environmental effects. She has undertaken this screening taking into account the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In doing so she considers the main matters to be addressed for development of this type are those set out in Planning Practice Guidance (PPG) where the following are indicated as main matters relevant in the consideration of development in this category: level of emissions to air, arrangements for the transport of fuel and any visual impact. Considering the specific form of development (battery storage), the Secretary of State considers the main matters in this case to also include risk of accident and pollution, noise impacts, and landscape and visual impact. In addition cumulative impact, particularly with regards to landscape is also considered a main matter.

Characteristics of the development (1a-f)

The proposal is at planning application stage (Staffordshire Moorlands District Council reference SMD/2024/0055) and as such a wide range of relevant accompanying information is available in addition to the initial local authority screening opinion and developer request.

The proposal is for a battery storage development, with energy infrastructure proposed for approximately 20% of the 22.4 hectare site. The equipment is to be sited below current ground levels and surrounded by raised earth bunds, with the site excavated using a cut and fill approach.

According to the submitted information, in addition to the 248 no. battery containers the infrastructure will comprise 62 no. transformer units, 124 no. inverter units, 4 no. switchrooms, a switchgear container and a self-contained substation within a secure acoustic fence enclosure.

Landscaping is proposed across other areas of the site. Woodland is to be planted to the east of the substation, with 'complementary planting' to the south (containing the attenuation drainage pond and fire suppressant pond). The new bunds around the battery equipment are also to be seeded, as well as the geogrid access tracks.

Primary access is proposed from the private road off Rownall Road to the north of the site, which serves the existing electricity substation. Emergency access is proposed along the right of way off Rownall Road on the site southern boundary.

A 30m clearance strip is proposed either side of the existing overhead cable which crosses the site.

The developed area proposed within the wider site boundary is not large scale and the Secretary of State considers that the size and design of the development as a whole is unlikely to result in significant effects.

Whilst this will inevitably comprise a physical change to the locality, the Secretary of State does not consider that a significant environmental effect is likely in terms of the use of natural resources, or the production of waste relevant to the development concerned.

Location of the development (2a-c)

For the purposes of this assessment the environmental baseline is that the entire site comprises of an undeveloped area of agricultural land (Grade 4 i.e. not best and most versatile). The location of the development is not within an environmentally sensitive area as defined in Part 1 of the EIA Regulations and does not sit within a designated site for nature conservation.

The nearest designated ecological site is Wetley Moor SSSI, approximately 800m to the west. The site is approximately 3km from Churnet Valley SSSI and Consall LNR. The site is also within the SSSI impact risk zone for Wetley Moor SSSI.

The LPA also note that a number of Local Wildlife Sites and Biodiversity Alert Sites are located within 2km of the site.

Wetley Moor SSSI is a lowland dry heath environment with habitats recorded as being in unfavourable condition, with one section recovering.

The Preliminary Ecological Statement (PEA) submitted with the application sets out the interest present in the SSSI designation as well as nearby Local Wildlife Sites (LWS) and concludes that the development will have a negligible adverse impact to statutory designated sites within 2km of the site.

Natural England as a statutory consultee conclude that the proposed development will not have significant adverse impacts on designated sites. They consider that the proposed development will not damage or destroy the interest features for which the site has been notified.

The PEA also provides a set of ecological enhancements which can be incorporated into the proposed development, and which would inform a subsequent Ecological Impact Assessment (EcIA). The LPA indicate that ecological mitigation and biodiversity net gain can be secured through a CEMP and planning conditions. Based on this and the submitted information, it is not considered that significant effects would arise with regards to effect on species or protected sites.

The site is not in a designated landscape area; nor is a designated area within the site context. The site is within Flood Zone 1. There are three designated heritage assets and four non-designated heritage assets within 1km of the site, with the nearest listed building being Rownall Stables (Grade II, approximately 400m from the site). The Heritage Impact Assessment submitted with the application indicates that heritage assets would not be impacted by the development. Based on the available information including the comment of the local archaeology consultee, the Secretary of State considers significant environment effect is unlikely in respect the historic environment including with regards to buried remains.

Characteristics of potential impact (3a-e)

The Secretary of State has considered the likely significant effects of the development on the environment in relation to the characteristics of the development and the location of the development with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

The Secretary of State considers that the main impacts of the development once operational will be risk of accident and pollution, noise impacts, and visual impact including cumulative impacts.

Risk of accident and pollution

In the construction, operation and decommissioning of any development there is an inherent risk of accidents. The LPA's opinion is noted that risks during construction could be adequately managed through a CEMP/CMTP. In addition it is noted that the site is located in Flood Zone 1. With regard to the risk of accidents and impacts on human health, as per their consultee response, the design of the units will be subject to consultation with Staffordshire Fire and Rescue. A Fire Risk Assessment can be secured through the planning process. A fire suppression pond is proposed south of the battery units.

It is considered that appropriate design and management plans can be put in place to mitigate any risk to human health. It is reasonable to expect that the site user will act lawfully and mitigate against any such risks and where appropriate seek the relevant permits/permission. It is not considered that significant effects are likely.

Noise and other amenity impacts

The application includes an Acoustic Design Specification which concludes that predicted noise levels from the equipment would be significantly below BS guidelines for residential occupation during both the

day and night, as well as below guideline levels for adjacent commercial buildings, and that there would be no significant noise impact on neighbouring properties. Taking the site context and limited number of receptors into account, the Secretary of State does not consider that noise, vibration or light impacts from the proposal would be significant in the local context.

Landscape and Visual Impact

A Landscape and Visual Assessment (LVA) is provided with the submitted planning application. This notes that the site is within Landscape Character Type (LCT) Ancient Plateau Farmlands. It concludes that initial effects on landscape character would be Moderate/Minor adverse up to 0.2km from the Site boundary, but following mitigation planting, long term residual effects would be minor. It also concludes that visual effects on the nearest PROWs would be major/Moderate adverse in the medium term and moderate in the long term, excepting one short section of Cheddleton 60. It also identifies temporary construction impacts.

Given the above conclusions and considering also the extensive planting and other mitigation proposed: alterations to site levels to accommodate the infrastructure within a planted bund, and other proposed planting including woodland to the west, impacts on landscape character and visual impact will not be significant. While there will be some impact on users of the footpaths that pass through the site itself, as identified by the LVA, this will be briefly experienced, cover short sections of the PROW and be mitigated by planting. It is not considered the impacts from the development itself would be significant in EIA terms. Consideration to cumulative landscape impacts are given below.

Cumulative impacts

As set out in PPG, each proposal should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. PPG indicates that only existing or approved applications ought to be considered. However, the information available indicates the following developments may be relevant.

The following developments have approved planning permission:

Battery development: Land East of Cellarhead Substation, and West of Rownall Road, Wetley Rocks, Staffordshire, (SMD/2022/0444) approved 22/12/2022, undergoing condition discharge;

Battery development: Land Adjacent Cellarhead Substation, Rownall Road, Wetley Rocks, Staffordshire (SMD/2022/0548) approved 27/06/2023

The following developments are under consideration:

Battery development: Land at Newfields Farm, Rownall Road, Wetley Rocks, Staffordshire, ST9 0BS (SMD/2024/0019) - under consideration, due at Committee 19 September;

Solar development: Land At Rownall Farm, Rownall Road, Wetley Rocks, Staffordshire, ST9 0BT (SMD/2023/0523) under consideration

The LPA also identify the EIA screening application for a battery storage development at Land at Greenfields Farm, Thorney Edge Road, Bagnall (SMD/2023/0639) which has now received a positive screening response. This project is at a very early stage and should be given limited consideration.

The LPA also refer to the refusal at Land Adjacent to Armshead Farm in Werrington but as this was not permitted this is not relevant to this assessment.

The LPA screening opinion concludes that the proposals have the potential to give rise to cumulative effects both during construction (traffic, noise, disturbance) and at operational stage (landscape/visual effects).

While it is noted that each infrastructure development will create some noise and traffic impacts, with subsequent impacts on amenity including for footpath users, it is not considered that this will lead to significant cumulative effects. It is unlikely that all developments would be constructed concurrently, given that two are already permitted, with condition discharge already underway for Land East of Cellarhead Substation and West of Rownall Road, and two are at an advanced stage within the planning

system. Given this and the short construction timescale for the proposed development (see 1.1) the Secretary of State considers that traffic, noise and other construction impacts will not be significant when considered cumulatively with other development. With regard to noise impacts during the operational phase, given the submitted information which indicates that predicted noise levels from the equipment would be significantly below BS guidelines for residential occupation during both the day and night, and the acoustic fence mitigation which is proposed, it is unlikely that noise impacts would be significant in cumulation with other BESS development within the landscape. Further, those other BESS developments can be reasonably expected to be similarly mitigated and comply with industry standards.

In terms of landscape and visual impact, the Cumulative ZTV plan includes assessment for the proposal alongside the Sirius BESS scheme (SMD/2022/0548), the Cellarhead BESS scheme, and the Rownall Farm Solar scheme as listed above. However, it does not consider the proposed BESS scheme at Newfields Farm or the BESS scheme at Greenfields Farm which was subject to an EIA Screening Opinion.

The ZTVs suggest some cumulative visibility with the project and at least one other scheme. The largest contributor to this is the Rownall solar farm which is not yet approved. This is a proposed development in the Green Belt and approval at this time cannot be considered reasonably foreseeable, but its approval and subsequent development cannot be ruled out at the current time.

The LVA concludes that the overall cumulative effect on the LCT as a result of the Proposed Development being constructed in combination with the consented projects would increase to moderate adverse, but that in visual impact terms, there are relatively few locations where the Proposed Development would be visible in combination with any of the other consented schemes. The assessment concludes that in the event that all three of the other schemes are constructed, the significance of the additional effect on the junction of Cheddleton 60, already concluded to be Substantial/Moderate adverse before planting, would be no greater than this.

The LVA omits consideration of Newfields Farm. As with the Rownall solar farm, this is not yet approved. However, given previous approvals for BESS schemes, and its close proximity to the existing electricity substation, its approval might be considered reasonably foreseeable. The addition of this BESS scheme would increase the visual impacts on Cheddleton 60 and Cheddleton 48. It would also increase the overall cumulative effect on the LCT.

Similarly, should the Greenfields Farm BESS progress to a planning application and gain approval, this would also increase impacts. While the early stage of this scheme limits the consideration it can be given at this time, as with Newfields Farm, its location close to the existing infrastructure at the substation suggests that a planning application may be likely to be submitted and approved.

The Secretary of State has also given consideration to the existing electricity substation which is an infrastructure development of significant scale in its context, adding a semi-industrialised character to the landscape baseline at the local scale. There is the potential for the proposed, permitted and pending developments to contribute to this character and change the wider landscape from a largely rural context to a developed one.

Mitigation is proposed for all schemes, with significant planting planned for the Cellarhead BESS development and a bund round the Sirius BESS scheme. This would significantly mitigate visual impacts and limit the extent to which they are seen in combination with the project. It is reasonably foreseeable that the schemes which are still in the planning process will be obliged to provide similar visual mitigation through planning conditions, should they be approved.

Furthermore, consideration of visual receptors suggests that, given the limited number of residential receptors in the locality, local PROWs are likely to be the key receptors in terms of visual impacts arising from multiple schemes. There is an extensive PROW network in the area which provides multiple opportunities for recreation but which may also limit numbers of users of any particular footpath. Furthermore, the routes around the existing substation are already subject to views of energy infrastructure. Users of this route would not expect an entirely rural character and additional visual impacts would not be significant in EIA terms.

Some cumulative visual impacts will also be experienced by road users, for example when travelling down Rownall Road. However the proposed landscaping will likely mitigate impact to a large extent in respect of these views.

Overall, the Secretary of State considers that while some cumulative landscape and visual impacts are likely, residual impacts are unlikely to be significant in EIA terms following mitigation.

Other matters

Given the mitigation proposed and having considered all available information, there are no other issues amongst those not specifically addressed above which indicate a likelihood of there being significant environmental effects from this proposal.

Overall conclusions

The Secretary of State has had regard to the characteristics of the development, the location of the development and the types and characteristics of potential impacts as set out above and considers that the proposed development **would not give rise to significant effects such that EIA is required**. In reaching this view she has carefully considered the information put forward by the applicant, the views of the LPA and all consultation responses.

This direction does not affect any duties of the requestor under other legislation, including The Conservation of Habitats and Species Regulations 2017.

NAME	Florence Hewett
DATE	19 September 2024