

Third Revolution Projects

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3rd May 2024

Dear Arne,

Application for Non-Material Amendment to Planning Permission SMD/2023/0197 at Totmonslow Farm, Draycott Road, ST10 4JJ

On behalf of our client, Totmonslow Solar Ltd, we are instructed to submit an application in relation to the site at Totmonslow Farm, Draycott Road, ST10 4JJ. The application is for a non-material amendment (NMA) under Section 96A of the Town and Country Planning Act 1990 (as amended) to the original planning permission (LPA ref: SMD/2023/0197).

The proposed non-material amendment seeks to vary the wording and substitute the approved plans detailed in **Condition 13** of planning permission SMD/2023/0197, dated 17th August 2023.

Payment of the statutory application fee of £363 will be made separately via the Planning Portal.

The proceeding sections of this letter outline the background, planning history, and the non-material amendments sought.

Background Planning History

Planning permission (LPA ref: SMD/2023/0197) was granted on 17th August 2023 for the following development:

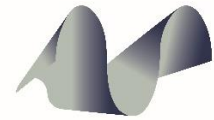
Temporary development of a solar farm with ancillary infrastructure, security fence, access, landscaping and continued agriculture, to generate power to feed into the local distribution network.

Condition 13 of the above planning permission states:

‘No development hereby permitted shall take place except in accordance with the terms and conditions of the Council’s organisational licence (WML-OR112) and with the proposals detailed on plan “Totmonslow: Impact Plan for Great Crested Newt District Licensing (Version1)”, dated 16th December 2022.

Condition Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112.’

There was a previous submission of this scheme (LPA Ref: SMD/2022/0343) with a site area of approximately 38ha, which was refused by Staffordshire Moorlands District Council on 23rd February 2023. A revised scheme (LPA Ref: SMD/2023/0197) with reduced site area of approximately 36.5ha, was submitted and subsequently approved on 17th August 2023. This reduction of site area has



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necessitated the production of an updated Impact Plan for Great Crested Newt District Licensing and subsequent amendment to condition wording.

Variation to Condition 13

Following this reduction in site area from the previous application, an updated Impact Plan for Great Crested Newt District Licensing report was required and subsequently produced. As such, we are seeking to vary the wording of Condition 13 to replace the original report reference *"Totmonslow: Impact Plan for Great Crested Newt District Licensing (Version1)", dated 16th December 2022* to align with this updated report. The updated wording should read:

"Totmonslow: Impact Plan for great crested newt District Licensing (Version2), dated 12th December 2023".

The updated Impact Plan (Naturespace Partnership, Reference 202203008, Version 2, dated 12th December 2023) and updated NSP Report (Naturespace Partnership, Reference: 202203008, Version 2, dated 13th December 2023) are attached with this application.

Non-Material Amendment

When considering a proposal for a non-material amendment, due regard must be given to the relevant National Planning Practise Guidance (NPPG); and Section 96A of the Town and Country Planning Act (1990) (as amended).

The NPPG guidance on 'Flexible Options for Planning Permissions', states that there is no statutory definition of 'non-material'; as this is dependent on the overall context of the scheme. However, the local planning authority (LPA) must be satisfied that the proposals are 'less than substantial' and non-material, in order to grant an application under Section 96A (S94A) of the Town and Country Planning Act.

Conclusion

In summary, the proposed amendments are considered 'non-material' in the context of the overall development, are considered to be acceptable and will not have a detrimental impact on neighbouring residents.

Should you have any queries or wish to discuss any aspect of the application in further detail please do not hesitate to contact me (chloe.brown@thirdrevolutionprojects.co.uk / 07742 809077).

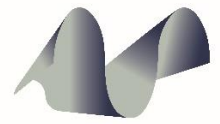
Yours sincerely

Chloe Brown

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