



Paul Butler Associates

Planning, Development & Heritage Consultants

24 October 2024

Jane Curley
Principal Planning Officer
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

24.2006NMA

Dear Jane

Location: Land East of Cellarhead Substation: Erection of a Flexible Energy Facility
Proposal: Application for Non Material Amendment to Planning Permission SMD/2022/0444

Overview

We are pleased to submit this application on behalf of our client Ameresco Ltd. The application involves a non-material amendment to planning permission SMD/2022/044 under Section 96(a) of the Town and Country Planning Act (as amended).

Planning permission SMD/2022/0444 was approved on the 22 December 2022.

The full description of development approved is as follows.

Erection of a Flexible Energy Facility

The non-material amendments sought under this application relate to minor changes to the internal layout and associated mitigation in order to facilitate delivery of the approved project.

Proposed Amendments

The proposed changes can be summarised as follows:

- Re-organisation of batteries, switchgear and transformers to meet operating requirements and allow for a maintenance track.
- Very small enlargement of facility to cater for the layout changes, includes revised buffer mitigation to the facility.
- Retaining wall detail added to plan.
- External DNO building not required and removed.
- Security fence detail confirmed to plan.

The approved development in its approved form is not technically deliverable and Ameresco have provided the following technical justification as to why the minor changes are required below:

- No space allowance on the planning drawing for MV/LV & Interface cable routes.
- No space allowance on the planning drawing for access roads for construction & operations and maintenance on completion.

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- No space allowance on the planning drawing for drainage infrastructure.
- BESS Equipment used on planning drawing is physically smaller than the actual equipment to be installed (i.e. actual Battery units are 1.3m longer per unit).
- GIS substation actual dimensions are larger than detailed on the planning drawings - 46 * 29m actual against 39 * 18m original.
- Planning layout drawings show 2 satellite substations installed, there are actually 6 satellite substations required.
- Number of sets of BESS units shown on planning drawing is less than actually to be installed - 49 sets v 54 sets.
- Perimeter security fence not shown/allowed for on planning drawings.
- No space allowance on the planning drawings for the stores & welfare containers.

These changes require an alternative internal arrangement for the battery units, switchrooms and substations to achieve the required storage capacity. Whilst this internal rearrangement does not introduce any equipment that is greater in height, it does necessitate a very small change to the area footprint of the facility. During the detailed design process, Ameresco have reviewed numerous options in order to try and accommodate the changes within the previously approved footprint (in order to not require an NMA amendment to the planning permission) but this has not been possible.

Within the context of the application approving a flexible energy facility, should the changes not have required any alteration to the size of the 'facility' (in this context this means the lowered area), such changes would be immaterial given the description of development approved a 'flexible energy facility' which would imply that the facility would need to be flexible and adaptable to respond to changing technologies and requirements over time.

Our assessment of the effect of the proposed changes therefore concerns only very small localised alterations to the footprint of the facility and surrounding bund / buffer which in the overall context of the scheme are very minor but necessary to deliver this critical infrastructure project. The changes proposed will still deliver the same level of mitigation and our view is therefore that the 'effect' of these changes in visual impact terms is incredibly minor and the fundamentals of the scheme remain the same.

The proposed amendments do not substantively alter the form of the development approved and will not materially alter the originally approved scheme. The development remains wholly compliant with the policies of the Development Plan and there are no material considerations which would justify the refusal of the application.

Application Submission

In addition to the supporting information set out in this letter, a Non Material Amendment Application Form has been submitted via the planning portal.

The table below, provides a schedule of drawings submitted in support of this application and the relevant drawings in Condition 2 that it is proposed they will replace.

A fee of £293 is payable with this application, payment has been made online via the planning portal.

Revised Drawings

Drawing Title / Description	Superseded Drawing Number	New Drawing Number
Site Layout	00 CELLARHEAD-D-114 Sht 1 of 2 Rev F	00 CELLARHEAD-D-114 Sht 1 of 2 Rev G
Bund Cross Sections	00 CELLARHEAD-D-114 Sht 2 of 2 Rev D	00 CELLARHEAD-D-114 Sht 2 of 2 Rev E
Site Cross Sections Plan View	00 CELLARHEAD-D-115 Sht 1 of 3 Rev B	00 CELLARHEAD-D-115 Sht 1 of 3 Rev C
Site Cross Sections	00 CELLARHEAD-D-115 Sht 2 of 3 Rev B	00 CELLARHEAD-D-115 Sht 2 of 3 Rev C
Site Cross Sections	00 CELLARHEAD-D-115 Sht 3 of 3 Rev B	00 CELLARHEAD-D-115 Sht 3 of 3 Rev C
Elevation Plan	00 CELLARHEAD-D-116 Sht 1 of 2 Rev A	00 CELLARHEAD-D-116 Sht 1 of 2 Rev B
Site Elevations	00 CELLARHEAD-D-116 Sht 2 of 2 Rev A	00 CELLARHEAD-D-116 Sht 2 of 2 Rev B
Substation Location	00 CELLARHEAD-D-307 Sh 1 of 5 Rev C	00 CELLARHEAD-D-307 Sh 1 of 4 Rev D
Substation Plan View	00 CELLARHEAD-D-307 Sh 2 of 5 Rev C	00 CELLARHEAD-D-307 Sh 2 of 4 Rev D
Substation Sections	00 CELLARHEAD-D-307 Sh 3 of 5 Rev C	00 CELLARHEAD-D-307 Sh 3 of 4 Rev D
Substation Sections	00 CELLARHEAD-D-307 Sh 4 of 5 Rev C	00 CELLARHEAD-D-307 Sh 4 of 4 Rev D
Substation Sections	00 CELLARHEAD-D-307 Sh 5 of 5 Rev C	Drawing Omitted
DNO Building	DNO306A	Drawing Omitted
Landscape Planting Plan Sheet 1 of 2	Landscape Mitigation Plan (Figure 6, Dec 2022 Rev 1)	CELDC-SH-ELS-DR-LS-001 Rev 03
Illustrative Landscape Y10 Planting Sections Sheet 1 of 3	Illustrative drawing added	CELDC-SH-ELS-DR-LS-003
Illustrative Landscape Y10 Planting Sections Sheet 2 of 3	Illustrative drawing added	CELDC-SH-ELS-DR-LS-004
Illustrative Landscape Y10 Planting Sections Sheet 3 of 3	Illustrative drawing added	CELDC-SH-ELS-DR-LS-005

We trust that the information submitted in support of the application is sufficient to enable the positive determination of the application. However, if you require any further information please do not hesitate to get in touch.

Yours sincerely

Julian Austin

Julian Austin BSc (Hons) MPLAN MRTPI
Associate Director

cc Roger Kent (Ameresco Ltd)