

DELEGATED DECISION REPORT

NMA/2025/0027
Valid 30/10/2025

LAND OFF DRAYCOTT
CROSS ROAD
BROOK HOUSES
CHEADLE

NON MATERIAL AMENDMENT
IN RELATION TO
SMD/2023/0263 - THE
PROPOSED AMENDMENT
RELATES TO THE WORDING
OF CONDITIONS 19 AND 20

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

The impact on the environment, air quality and residential amenity.

DESCRIPTION OF SITE

The site is in the countryside and within the Green Belt but is also adjacent to the western Development Boundary of Cheadle. It comprises open land on the north-west side of Draycott Cross Road, which also provides the access to the site. There is woodland to the north and west and industrial buildings to the south and to the other side of the road to the east.

PROPOSAL

This is a Non Material Amendment application to vary conditions 19 and 20 of a full planning permission for a battery storage system (BESS) approved under SMD/2023/0263.

The conditions are as follows:

Condition 19 - No development shall commence until details of mechanisms for the maintenance of electrical elements together with an overarching fire safety precaution statement for the development has been submitted to, and approved in writing by the Local Planning Authority (following consultation with the Fire Authority). Thereafter the battery storage facility shall operate in accordance with the measures outlined in the fire safety precaution statement and an annual inspection shall be carried out and a report submitted to the Local Planning Authority to demonstrate compliance.

Condition 20 - No development shall commence until the Emergency Response Plan has been submitted to, and approved in writing by the Local Planning Authority (following consultation with the Fire Authority). The Emergency Response Plan must prescribe measures to facilitate safety during the construction, operation and decommissioning of the battery storage facility, including the protocols to manage a

fire during the operation and decommissioning. Thereafter the battery storage facility shall operate in accordance with the measures outlined in the Emergency Response Plan and an annual inspection shall be carried out and a report submitted to the Local Planning Authority to demonstrate compliance.

it is requested that both conditions are amended so that the words ‘No development shall commence until’ are replaced with ‘Prior to the installation of the built development’.

This would allow the developers to commence some form of works on site before needing to submit the details requested in the two conditions. A covering letter from the applicant also states the following:

Balance Power are currently progressing the technical procurement process with technology providers and engineering contractors. As such, it is difficult to provide the specific information, required through the two conditions, until this process has concluded.

In parallel with the above, Balance Power are also progressing activities associated with the discharge of conditions to enable lawful implementation and construction of the project. However, on the basis Conditions 19 and 20 both require details prior to the commencement of development this application seeks to amend the wording of both conditions so that details can be provided prior to the installation of the built development. This has the effect of maintaining the control imposed by the conditions and has the benefit of not changing the planning permission reference number as Balance Power work through the discharge of conditions in parallel.

A Non Material Amendment application can be used for non-material amendments to the wording of planning conditions and hence this is the purpose of the application.

The Council must decide if the amendment can be treated as a “Non Material Amendment” to the approved scheme in terms of whether or not the alteration to the conditions would have any significant impacts on the area as a result of, for example, changes to fire risk from the development once in use.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SD4 - Pollution

NPPF (Revised December 2024)

Sections 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2023/0263: PROPOSED DEVELOPMENT OF A BATTERY STORAGE SYSTEM, ASSOCIATED INFRASTRUCTURE AND ACCESS ON LAND OFF

DRAYCOTT CROSS ROAD, CHEADLE. Full planning permission granted subject to conditions.

CONSULTATIONS

Publicity

Site Notice expiry date: N/A
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None.

OFFICER COMMENTS

The provision of batteries for the storage of renewable electricity contains an element of fire risk and the purpose of the conditions is to ensure that a fire safety precaution statement and emergency response plan are submitted and approved as part of the development. This was on the advice of Staffs Fire & Rescue who were consulted on the planning application.

The Non Material Amendment application seeks to change those conditions so that these are submitted for approval before the batteries are installed rather than before the start of any works required to carry out the development. The changes would allow a start on site such as the groundworks required for bases for the batteries and the formation of an access onto the road, without breaching the conditions.

It is considered the variation of those conditions to allow the fire safety plans to be submitted and approved before the installation of the actual battery units rather than before any works on site, would not defeat the purpose of those conditions in ensuring that the development is safe. i.e. it is the batteries themselves which are the risk rather than the development around them such as the groundworks or the access.

I therefore consider the request to amendment of the conditions requested by the applicant is non-material. However, for the avoidance of doubt as to what constitutes "built development", it would be more appropriate to word the conditions as "*prior to the installation of the batteries*".

I therefore consider that Conditions 19 and 20 can be amended accordingly and therefore the Non Material Amendment application can be approved.

CONCLUSION

The proposed amendment will not have any impact on the environment or the amenities of the area and therefore can be treated as a Non Material Amendment to the planning permission and therefore the Non Material Amendment application can be approved.

OFFICER RECOMMENDATION : APPROVE NMA

Case Officer: Chris Johnston

Recommendation Date: 11.12.25

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council