



Our Ref: 3302-01/ARB

05 June 2026

Mr C Johnston
Senior Planning Officer
Planning Department
Staffordshire Moorlands District Council
Stockwell Street
Leek
ST136HQ

Dear Mr Johnston,

**NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REFERENCE
SMD/2023/0263 (AS AMENDED BY NMA/2025/0027) - PROPOSED DEVELOPMENT
OF A BATTERY STORAGE SYSTEM, ASSOCIATED INFRASTRUCTURE AND
ACCESS ON LAND OFF DRAYCOTT CROSS ROAD, CHEADLE**

We hereby apply, on behalf of Balance Power Projects Ltd (BP), to make a non-material amendment to the planning permission in respect of the above development.

Background

The permission is subject to twenty conditions. Activities associated with the discharge of pre-commencement conditions have taken place, with the sole remaining pre-commencement relating to coal mining remediation works, as controlled via Condition 17(b). These works are due to take place shortly to enable lawful implementation and construction of the project within the three-year implementation period specified by Condition 1 (i.e. before 5th January 2027).

Condition 5

Condition 5 states that: *“Before the proposed development is commenced details of improvement of the access comprising widening, strengthening and surfacing of the access and return of access to lower standard access once construction period is over, shall have been first submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be improved in accordance with the approved drawings before the construction commences and returned to the agreed lower standard prior to the development being brought into use.”*

The first part of Condition 5 was formally discharged on the 29th January 2026, under ref: DOC/2025/0100. This approved drawings: 2-351-C-001-S278-Proposed General Arrangement Plan-T4; 2-351-C-002-S278-Proposed Swept Path Analysis Plan-T3; 2-351-C-003-S278-Proposed Engineering Plan-T4; 2-351-C-004-S278-Proposed Construction Details-T2; 2-351-C-005-S278-Proposed Location Plan-T3 and 2-351-C-006-S278-Proposed Visibility Long Sections-T1.

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In parallel with the above, BP are progressing activities associated with the Section 278 legal contract to enable physical alterations to the public highway (specifically the junction off Draycott Cross Road). Whilst work to progress this matter is taking place as swiftly as possible, at present, it appears unlikely that the agreement could realistically be completed before the three-year implementation deadline set out in Condition 1 of the planning permission. The reasoned justification is that BP have been advised that the timescale for completing the agreement is almost certain to extend beyond the implementation deadline. Furthermore, once approved it would still be necessary to appoint and programme a contractor to undertake the works and secure the relevant licences (e.g. permit to dig and traffic management).

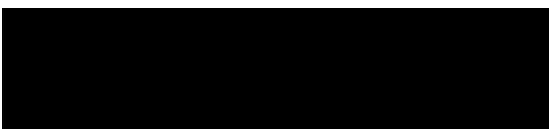
On the basis the second part of Condition 5 identifies that works should take place before the construction commences and the Section 278 legal contract only relates to the works relating to the public highway and therefore BP are looking to decouple this matter from the wider development to enable the development to be lawfully implemented.

As such, it has become necessary to seek to alter the wording of Condition 5. In line with recent dialogue with your Authority on 3rd June 2026, it was agreed that the amendment could be addressed via a non-material amendment, and it was suggested that the condition should be revised to state:

“Prior to the development being brought into use, the access shall be improved comprising widening, strengthening and surfacing of the access and return of access to lower standard access once construction period is over, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, before any works to the access are undertaken. The access shall be improved in accordance with the approved details.”

Based on the above, a non-material amendment application has been submitted electronically via the Planning Portal (ref: PP-14988758) and the relevant planning application fee has been paid via the Planning Portal. We trust that the content of this letter and the application documentation are self-explanatory. However, please do not hesitate to contact the undersigned at our South Manchester Office should you have any queries or require any further information.

Yours faithfully,



Andrew Barton
Associate Director on behalf of AXIS