



Paul Butler Associates

Planning, Development & Heritage Consultants

05 August 2026

Jane Curley
Principal Planning Officer
Staffordshire Moorlands District Council
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24.2006NMAiv

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

We are pleased to submit this application on behalf of our client Ameresco Ltd. The proposed application seeks a non-material amendment to planning permission SMD/2022/044 (as amended by NMA/2024/0027) under Section 96A of the Town and Country Planning Act 1990 (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*.

NMA/2024/0027 (approved on 02 April 2025) included for minor changes to allow for access / maintenance improvements and minor changes to the internal layout.

The amendments sought under this application principally relate to an amendment to the approved drawings in condition 2 (as amended) to allow for minor changes to the GIS substation building.

Under the power conferred on a local planning authority by virtue of Section 96A(3) of the Town and Country Planning Act 1990 (as amended), this includes power to (make a change to a planning permission):

- a) To impose new conditions;
- b) To remove or alter existing conditions.

The approach to making a non-material alteration to a condition under this part of the Act is therefore appropriate.

Proposed Condition Amendment

It is proposed that the following drawings only be replaced under this amendment application, all other previously approved drawings in the condition 2 drawing list shall remain.

Existing Approved Drawing Ref	Proposed Drawing Ref
00 Cellarhead D 115 Rev D Site Cross sections AA, BB and CC (Sheet 2 of 3)	00-Cellarhead-D-115 Rev E Site Cross Sections sht 2 of 3
00 Cellarhead D 307 Rev F Substation section AA and BB (Sheet 3 of 4)	00-Cellarhead-D-307 sht 3 Substation sections AA & BB rev G
00 Cellarhead D 307 Rev F Substation section CC (Sheet 4 of 4)	00-Cellarhead-D-307 sht 4 Substation section CC rev G

The proposed amendments allow for a height increase to the GIS substation building in order to accommodate and maintain the necessary infrastructure internally. Full detail is provided in the supporting document AME-BE-XX-PL-PL-0001.

The height of the building will remain lower than the height of the batteries, the adjacent fire wall and the acoustic fence and therefore the change will not be noticeable from outside of the BESS facility.

The proposed amendments do not substantively alter the scale, form or appearance of the development approved and will not materially alter the originally approved scheme. They will also lead to no further amenity, environmental or other impacts which are not already adequately controlled by the planning permission, and none of the remaining conditions will be breached or adversely affected by the granting of the application.

The “effect” of the change is non-material and is therefore in compliance with the guidance in Annex A (comparison table) of Paragraph: 003 Reference ID: 17a-003-20140306 of the National Planning Practice Guidance. 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. The application should therefore be granted forthwith.

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. A fee of £400 is payable with this application, payment has been made online via the planning portal.

We trust that the information submitted in support of the application is sufficient to enable the positive determination of the application. In compliance with paragraph 39 of the NPPF, the applicant formally requests, in the event of the LPA having any queries or concerns regarding the application, that these are raised with the applicant and worked through to a positive resolution during the application determination period. Given the minor scope of the application, we expressly request that the application is determined at the earliest opportunity within the 28-day timeframe.

Yours sincerely

Julian Austin

Julian Austin BSc (Hons) MPLAN MRTPI
Director

cc Ameresco Ltd