

From: Steven King
Sent: 08 May 2026 17:56:35 UTC+01:00
To: "Nick Leaney" <NickLeaney@aardvarkem.co.uk>
Cc: "James Wallwork" <james.wallwork@oneplanet.ltd>
Subject: RE: Land Adjacent To Bolney Substation, Bob Lane, Twineham, West Sussex - DM/26/1068

Dear Nick

Thank you for your e mail regarding the above.

I am afraid that I remain of the view that the proposed change to the layout of the equipment within the site cannot be dealt with as a non-material amendment. The proposed change makes a clear and noticeable difference from the original approval. I consider that this proposed change should be the subject of a section 73 application for a material amendment to the original planning permission. This would also allow the LPA to consult with the WSCC Fire and Rescue Service for any implications that the proposed change has in relation to fire fighting.

I'd therefore be grateful if you could confirm that you would like the application to be amended so it only seeks consent for the rewording of the description.

Regards

Steven King, BSc (Hons) Dip TP, MRTPI
Team Leader, Major Development
Mid Sussex District Council
01444 477556

Steven.King@midsussex.gov.uk
www.midsussex.gov.uk



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From: Nick Leaney <NickLeaney@aardvarkem.co.uk>
Sent: 07 May 2026 10:17
To: Steven King <Steven.King@midsussex.gov.uk>
Cc: James Wallwork <james.wallwork@oneplanet.ltd>

Subject: Re: Land Adjacent To Bolney Substation, Bob Lane, Twineham, West Sussex - DM/26/1068

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Good morning Steven

Thank you for your email below and confirmation that the revision to the description of the application can be dealt with as a non-material amendment.

We are somewhat surprised though that you consider relocating the substation within the proposed layout is a material change.

It is accepted that the amended layout includes some changes when compared to the scheme that was considered by the Council and by interested parties at the application and approval stage. However, the changes do not introduce any new built (merely relocating them within the compound) or revised form of infrastructure (no spec or technical change in terms of height, scale or massing) and are not significant such that they would fundamentally change the proposed development or result in a substantial difference from that originally applied and consented for.

Accordingly, an NMA with regard to the amended layout plans would neither cause procedural unfairness nor prejudice third parties' interests to be dealt with under that procedure.

We would welcome your reconsideration of the matter and determine as per the current application and happy to jump on a Teams call to chat through if that would be helpful.

Thanks
Nick

Nick Leaney BSc Hons MRICS FRGS

Director - Aardvark EM Limited

Higher Ford, Wiveliscombe, Somerset TA4 2RL

Tel: +44 (0) 1984 624989

Mob: +44 (0) 7833 796284

Email: nickleaney@aardvarkem.co.uk

Web: www.aardvarkem.co.uk

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From: environment <environment@aardvarkem.co.uk>
Sent: 30 April 2026 5:26 PM
To: Nick Leaney <NickLeaney@aardvarkem.co.uk>
Subject: Fw: Land Adjacent To Bolney Substation, Bob Lane, Twineham, West Sussex - DM/26/1068

From: Steven King <Steven.King@midsussex.gov.uk>
Sent: Thursday, April 30, 2026 5:14 PM
To: environment <environment@aardvarkem.co.uk>
Subject: Land Adjacent To Bolney Substation, Bob Lane, Twineham, West Sussex - DM/26/1068

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Dear Mr Leaney

Non-Material Amendment to application DM/23/0769 - To accurately describe the development as per the application form and to change the layout plan to allow the relocation of the substation within the proposed scheme.

I'm writing with regards to the above application.

The PPG advises that there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

Having looked at the proposal, I consider that the revision to the description of the application can be dealt with as a non-material amendment.

In my view, the proposal to amend the layout of the site cannot be dealt with as a non-material amendment. In my view this makes a clear change to the layout of the proposed scheme that goes beyond what could be approved under the non-material amendment procedure. I think that this proposed change

would need to be the subject of an application for a material amendment under section 73 of the Town and Country Planning Act 1990.

I would therefore suggest that the current non-material amendment application is revised so that it only seeks to change the description of the development.

Whilst writing, you may also be aware that there was an error on the decision notice for planning permission DM/23/0769. Condition 12 is currently a duplicate of condition 11, it should read as follows:

No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR136, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

I would therefore further advise that if you make an application for a material amendment regarding the proposed change to the layout of the site, you should also apply to correct the wording of condition 12.

I would be grateful if you could let me know within 14 days if you wish to amend the current application as suggested. If I do not hear from you, I will determine the application as it currently stands.

Regards

Steven King, BSc (Hons) Dip TP, MRTPI

Team Leader, Major Development

Mid Sussex District Council

01444 477556

Steven.King@midsussex.gov.uk

www.midsussex.gov.uk



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