

Our ref: 2243/6863/nl
Your ref: DM/26/1068 (DM/23/0769)

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Planning and Economy
Mid Sussex District Council
Oaklands Road
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Dear Sir/Madam

SECTION 73 APPLICATION FOR A VARIATION OF PLANNING CONSENT REFERENCE DM/26/1068 (DM/23/0769) RELATING TO A MINOR LAYOUT AMENDMENT TO THE APPROVED SITE LAYOUT AT LAND ADJACENT TO BOLNEY SUBSTATION BOB LANE TWINEHAM WEST SUSSEX

Planning Permission was granted under planning application reference DM/23/0769 on 18 October 2024 by Mid Sussex District Council for the following development. A Non-Material Amendment (NMA) to application DM/23/0769 to accurately describe the development as per the application form was approved under reference DM/26/1068 on 13 May 2026.

The NMA approved the following description of development.

Land Adjacent to Bolney Substation Bob Lane Twineham West Sussex

Construction and operation of a battery energy storage system together with all associated equipment, ancillary infrastructure and landscaping.

Aardvark EM Limited has subsequently been instructed by One Planet Developments Ltd to apply for a material amendment to the approved proposed site layout plan and also correct an error on the decision notice conditions under Section 73 of the Town and Country Planning Act 1990. The proposed changes only relate to conditions and not to the operative part of the permission.

Proposed amendment to the approved layout plan

Following further design considerations with The National Grid and Distributive Network Operator ('DNO') it has been proposed to relocate the development's substation to a more central position within the proposed site layout. The displaced battery and inverter units from the proposed new substation position would be re-sited to the original substation position such that no loss in site capacity would result.

No additional infrastructure is proposed, and this is purely a location and layout change. A revised layout plan (reference PL-01 rev 25) is submitted with this application.

For completeness, the applicant has re-run the noise model for the new layout and produced the submitted noise technical note (reference 22-167-TN02) setting out that no material change results from the proposed amendment.

It is therefore proposed that the list of approved plans as referenced in condition 27 is amended and drawing reference PL-01 rev22 is replaced by drawing reference PL-01 rev25.

Proposed deletion of Condition 12

It is noted that there was an error on the decision notice of planning permission DM/23/0769. Condition 12 is currently a duplicate of Condition 11 and should therefore be deleted.

Planning Officers at the Council have proposed that Condition 12 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

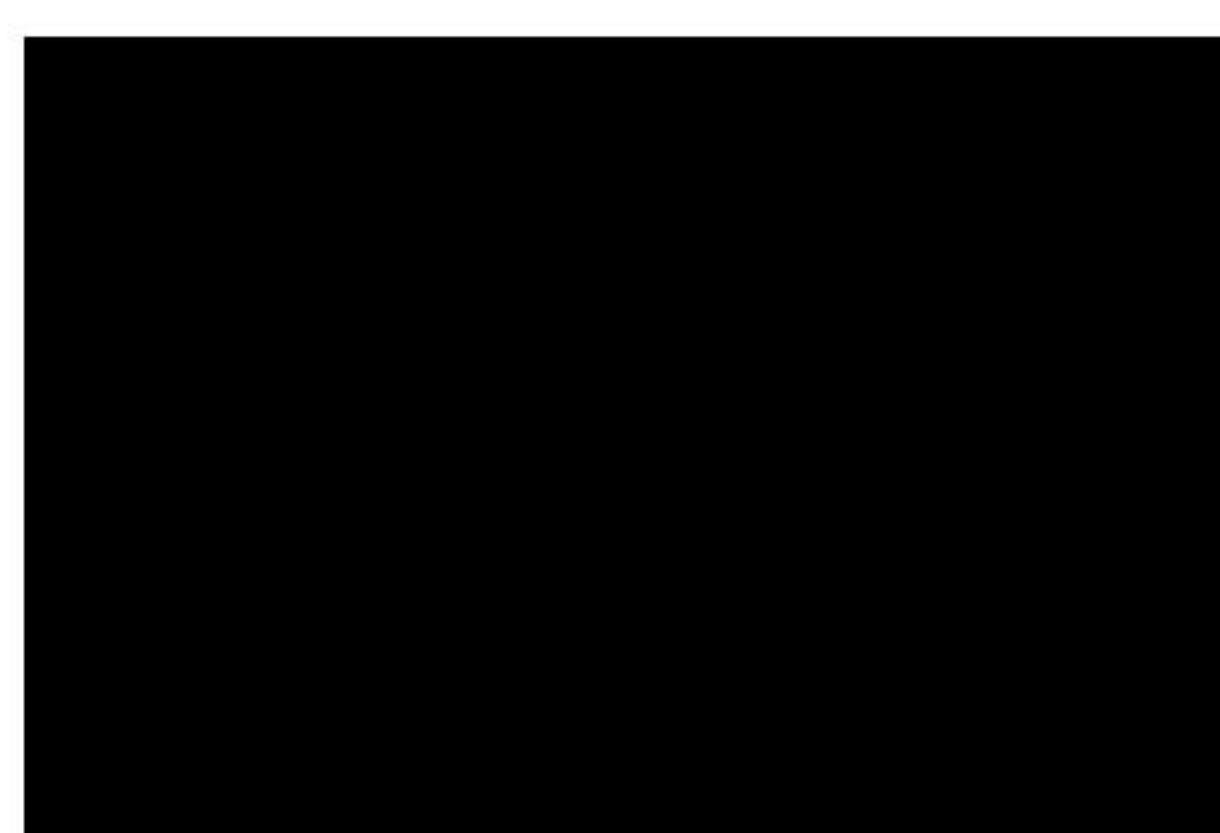
The applicant is content with this proposed wording as a pre-commencement condition. The wording of Condition 12 as currently on the Decision Notice should therefore be deleted and be replaced with the above text instead.

Planning Practice Guidance reminds us that Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

The applicant has also completed the necessary application forms, ownership certificate and paid the relevant application fee via the planning portal.

We would be grateful for written confirmation of validation and the statutory determination period once the application has been registered.

Yours faithfully



Nicholas C Leaney BSc Hons MRICS FRGS
For Aardvark EM Limited