

Our Ref: 3471-01/ARB

09 December 2025

Mr T Hiles
Rochdale Borough Council
Floor 3, Number One Riverside
Smith Street
Rochdale
OL16 1XU

Dear Mr Hiles,

**NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REFERENCE
24/00043/FUL - PROPOSED DEVELOPMENT OF A BATTERY ENERGY STORAGE
SYSTEM WITH ASSOCIATED INFRASTRUCTURE AND ACCESS ON LAND OFF
DIG GATE LANE, KINGSWAY BUSINESS PARK, ROCHDALE**

We hereby apply, on behalf of Balance Power Projects Limited (BPP), to make a non-material amendment to the planning permission in respect of the above development. The permission is subject to twenty-two conditions and the statutory biodiversity net gain condition.

As discussed during our recent virtual meeting (17th November), BPP are looking to implement the planning permission, however, to assist in achieving this it is requested that the permission is amended as set out in the following sub-sections.

Phased Approach

The main amendment seeks to introduce a phased approach to the approved development, where the ecological implementation works associated with the habitat creation, pond formation and translocation of mud snails (i.e. the works approved under ecological implementation plan ref: 3471-01-L-002 Rev A (appended to this covering letter for ease of reference)) is undertaken prior to the commencement of the main works (i.e. the construction of the Battery Energy Storage System). The reason for introducing a phased approach is that the ecological implementation works are required to take place during specific time periods which are out of kilter with the overall timescales for implementation of the main works.

To enable the above phasing, it is proposed to amend initial wording of the following conditions so that they state:

- Condition 5: *“Prior to the commencement of the main works (the Battery Energy Storage System) but excluding the ecological implementation specified in plan ref: 3471-01-L-002 Rev A), full details...”*
- Condition 10: *“Prior to the commencement of the main works (the Battery Energy Storage System) but excluding the ecological implementation specified in plan ref: 3471-01-L-002 Rev A), final details...”*

- Condition 11: *“The main works (the Battery Energy Storage System) but excluding the ecological implementation specified in plan ref: 3471-01-L-002 Rev A), shall not be commenced...”*
- Condition 12: *“The main works (the Battery Energy Storage System) but excluding the ecological implementation specified in plan ref: 3471-01-L-002 Rev A), shall not take place...”*
- Condition 15: *“Prior to the commencement of the main works (the Battery Energy Storage System) but excluding the ecological implementation specified in plan ref: 3471-01-L-002 Rev A), should it be required to import material onto the site...”*

It is also noted that the statutory net gain condition is also incorporated into the permission. In short, this stipulates that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. Again it is requested that the requirement for a biodiversity net gain plan is not triggered until the commencement of the main works.

For the avoidance of doubt, it is still proposed to submit the Habitat Management and Monitoring Plan required under Condition 19, prior commencement of any phase of the development.

Condition 6 : Samples and Material Samples

Condition 6 sets out that: *“Prior to any above ground construction related to the development hereby approved, full samples and / or external material specification details for each of the following parts of the development shall be provided to the Local Planning Authority for approval: Battery Container; DNO Room; Inverter and Transformer Skid; Welfare & Control Room; Substation; Storage Room; any hard surface materials. Such details shall include the type, colour and texture of materials. Development shall be carried out in accordance with the approved details.”*

BPP are currently progressing the technical procurement process with technology providers and engineering contractors. In parallel with the above, BPP are also progressing activities associated with the discharge of conditions to enable lawful implementation and construction of the project. However, it is difficult to provide the specific information, required through condition six, until the procurement process has concluded.

Therefore it is requested that to avoid any potential conflict the samples / material specification is provided prior to the installation of each of the specified parts. This would maintain the intended control, but amend the timeframe for the provision of details. It is requested that the condition is amended from: *“Prior to any above ground construction related to the development hereby approved...”* to *“Prior to the installation of the parts specified in this condition full samples and / or external material specification details shall be provided...”*

Condition 22 : Emergency Response Plan

Condition 22 sets out that: *“No development shall commence until an 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.”

For the same reasons as set out above, it is difficult to provide the specific information, required through the condition, until the engineering / procurement process has concluded. However, on the basis Condition 22 requires details prior to the commencement of development this application seeks to amend the wording of the condition so that details can be provided: *“Prior to the installation of the Battery Container; DNO Room; Inverter and Transformer Skid; Welfare & Control Room; Substation; Storage Room...”*

The above proposed amendments have the effect of maintaining the control imposed by the conditions and has the benefit of not changing the planning permission reference number as BPP work through the discharge of conditions in parallel.

The application has been submitted electronically via the Planning Portal (ref: PP-14553544) and the relevant planning application fee £298 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

Andrew Barton

Associate Director on behalf of AXIS