

Regeneration and Economic Development
Newport City Council
Civic Centre
Newport
NP20 4UR

Date: 8 December 2025
Our ref: 71509/01/GW/40308917v4

To Whom It May Concern

Non Material Amendment to planning permission 17/0490/VC at Park Farm, Land to the West of Malthouse Lane, Caerleon, Newport, NP18 3PB

On behalf of our client Lightsource BP, we are submitting an application under Section 96A of the Town and Country Planning Act (TCPA) 1990 seeking a non material amendment (NMA) to planning permission 17/0490/VC to allow the replacement of inverters 2 and 3 on site.

The NMA has been submitted via the Planning Portal (**PP-14481106**) and the application fee of £242 has been paid.

This application submission comprises the following documents:

- 1 This Covering Letter;
- 2 Application Form;
- 3 Site Location Plan;
- 4 Inverter Views (UK-PFW 084-30-6.2);
- 5 Inverter Views (UK-PFW 084-30-6.3); and,
- 6 Park Farm West General Layout (UK-PFW 84-11_AS BUILT_rev01)

Background

Planning permission 15/0902 was granted in February 2016 for the following:

“Installation and operation of a 3.91MW solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, access tracks, fencing, and pole-mounted CCTV cameras, affecting bridleway ST39SW-125 and footpaths ST395W-131 and ST395W-132.”

An NMA (16/0920) to allow the relocation of substation, transformer units and other ancillary infrastructure, reposition access track, remove communications building and pole mounted CCTV and reorientate panels, was approved in October 2016.

A Section 73 application (17/0490) was granted in June 2017 for the following:

“Variation of condition 01 (plans) and removal of condition 02 (root protection) of planning permission 15/0902 for installation and operation of a 3.91MW solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, access tracks, fencing and pole-mounted CCTV cameras, affecting bridleway ST39SW-125 and footpaths ST395W-131 and ST395W-132.”

An NMA (23/0751) to permission 17/0490 was approved in October 2023 to allow the replacement of inverter 1.

This NMA seeks to replace inverters 2 and 3 in the same manner as application 23/0751.

A proposed list of approved plans is set out in Annex 1.

Non Material Amendment (Section 96A)

Section 96a of the Act states:

“(1) A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.”

There is no statutory definition of a ‘non-material amendment’. The Welsh Government guidance on ‘Approving Non-Material Amendments to an Existing Planning Permission’ (July 2024) states that the nature of the amendment will depend on the context of the overall scheme. As a general guide, any proposed amendment that raises no new planning issues would be likely to fall into the non-material amendment category. In this context, it is important to note that Newport Council considered the replacement of inverter 1 to be non-material as part of application 23/0751.

Proposed Amendments

The purpose of this NMA is to allow the replacement of inverters 2 and 3 due to technical reasons.

Inverters 2 and 3 are located to the south west of the northern array of solar panels. It is centrally located between the two solar panel arrays and is surrounded to the south and west by mature trees. The exact location is depicted on the approved Park Farm West General Layout (UK-PFW 84-11). The approved inverters, as set out on approved drawing UK-PFW 084-30-6 measure 2.598m in length, 1.067m in width and 2.164m in height.

This NMA seeks to:

- 1 Replace the approved inverters 2 and 3 with Inverter SMA SC2200. Both of the proposed inverters are the same model and measure 2.780m in length, 1.588m in width and 2.358 in height.

2 The replacement inverters will be white in colour, rather than the approved moss green.

The proposed amendments are depicted on the submitted drawings UK-PFW 084-30-6.2 and UK-PFW 084-30-6.3. The location of the inverters remains unchanged and is shown on UK-PFW 84-11_AS BUILT_rev01.

Appropriateness of NMA Procedure

The Welsh Government guidance on ‘Approving Non-Material Amendments to an Existing Planning Permission’ (July 2024) provides a series of test the authority may wish to consider as a starting point in assessing how material the change is in planning terms. These are set out below with our commentary.

Table 1 Tests Presented within the Welsh Government guidance on ‘Approving Non-Material Amendments to an Existing Planning Permission’ (July 2024)

Test	Lichfields’ Comments
(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and, (ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?	Whilst the replacement inverters are slightly larger than the approved, existing inverters, the scale of the proposed change is negligible and will not cause an impact different to that caused by the original approved development. The minimal change to the scale of the inverters will not prejudice the approved scheme and is a necessary change due to technical reasons. The location of the proposed inverters remains the same as the approved. Whilst the colour of the proposed inverters (white) is different to the approved (moss green) it will not have a detrimental impact either visually or in terms of amenity. The inverters would not appear noticeably different to the previous inverters and will be set against the now built out solar farm. They would also be seen in the context of the adjacent transformer and kiosk. The site is enclosed by mature woodland to the south and west, screening views.
(b) would the interests of any third party or body be disadvantaged in planning terms; or,	It is not anticipated that any third party or body be disadvantaged in planning terms by the approval of the proposed NMA. The number of inverters remains the same and the proposed replacement inverters are only marginally different and therefore do not make fundamental change to the proposed scheme that would prejudice a third party.
(c) would the proposed change conflict with national or development plan policies?	Given the minor and non-material nature of the proposed amendment, there would be no conflict with national or development plan policies.

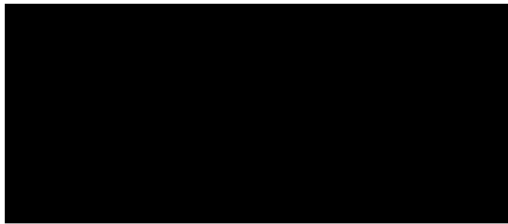
Based on the above, we consider that the amendments proposed are non-material in nature and can be approved under Section 96A of the TCPA 1990. The change solely relates to the replacement of inverters 2 and 3 with a different type of inverter due to technical reasons.

Conclusion

We consider that the proposed amendments are nonmaterial in nature and can be dealt with under Section 96A of the TCPA 1990. The proposed replacement inverters do not introduce any new or different impacts different compared to the approved scheme.

We trust that you have sufficient information to approve this application. Should you have any queries, please do not hesitate to contact me in the first instance or my colleague Arwel Evans.

Yours faithfully



Mali Meek

Planner

BA(Hons) MSc

Annex 1: Proposed List of Approved Plans

Title	Reference	Status
GRP Enclosure for Combined R.M.U. and Metering Unit 'D' or 'G' Type with Protection Panel	396019-2001 B	Approved
Storage Container Views	UK-PFW 84-30-3	Approved
Substation Views (Production Transformer 2 Views)	UK-PFW 084-30-5	Approved
CCTV-SAT-Weather Station Pole & Foundations	UK-PFW 84-41-5	Approved
Substation Views (Client Substation)	UK-PFW 084-30-1	Approved
Pre-mag Pillar Views	UK-PFW 084-30-8	Approved
Production Substation Views (Substation 1)	UK-PFW 084-30-4a	Approved
Inverter Views (Inverter – Sungrow SG1000MX)	UK PFW 084-30-6	Superseded
Substation Views (Production Transformer 1 Views)	UK-PFW 084-30-5	Approved
Park Farm West General Layout (dated 14 June 2017)	UK PFW 084-11	Superseded
Production Substation Views (Substation 2)	UK-PFW 084-30-4b	Approved
Email from Penny Laurenson dated 07/06/2016 (16:22)	-	Approved
Inverter Views (Inverter SMA SC 2200)	UK-PFW 084-30-6.1	Approved
Park Farm West General Layout	UK PFW 084-11	Superseded
Inverter Views	UK-PFW 084-30-6.2	New
Inverter Views	UK-PFW 084-30-6.3	New
Park Farm West General Layout	UK-PFW 84-11_AS BUILT_rev01	New
Park Farm Caerleon West – Site Access & Location Plan	22-07-2015	New