South Holland District Council
Planning
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

19 May 2025

Dear Sir/Madam,

Proposed Non-Material Amendment to Planning Permission Ref. H04-0849-22

We write in relation to an application for a non-material amendment to planning permission Ref. H04-0849-22 for *"Proposed development of a photovoltaic solar array, grid connection, access improvement works & ancillary development on land at Bicker Fen, Boston and South Holland"* (description of development as shown on the decision notice).

The Non-Material Amendment application comprises:

- This Covering Letter;
- Application Form;
- Archaeological Mitigation Strategy prepared by PCAS Archaeology Ltd dated April 2025;
- Application Fee paid via Planning Portal.

This application is made under Section 96A of the Town and Country Planning Act 1990 (as amended) (TCPA).

Proposed Non-Material Amendment

Planning permission Ref. H04-0849-22 was granted by South Holland District Council on 21 July 2023. Planning permission Ref. B/22/0356, for the same development, was also granted by Boston Borough Council on 21 July 2023. The planning permissions were granted subject to planning conditions.

On 20 March 2025, the Council approved the 'Written Scheme of Investigation for Archaeological Mitigation – Draft V22', prepared by AOC Archaeology Group dated March 2025, in relation to Condition 7 (Condition Discharge Application Ref. H04-0199-25).

Under this application, we are seeking to amend the document approved under Condition 7 and replace it with the enclosed Archaeological Mitigation Strategy prepared by PCAS Archaeology Ltd dated April 2025.

The submitted Written Scheme of Investigation (WSI) for the scheme of mitigation has been prepared in accordance with conditions imposed on the planning permission for the development; it represents a variation from a previously approved WSI prepared by AOC Archaeology Group for a programme of mitigation consisting of preservation *in situ*, strip map and sample and monitoring and recording. The currently proposed programme of further

archaeological mitigation consists of targeted archaeological excavation in three areas where significant archaeological remains have already been identified, archaeological strip, map and sample where large-scale preliminary groundworks encroach on archaeologically sensitive areas and archaeological monitoring and recording during groundworks in areas thought to be of archaeological potential.

The proposed change focuses on adjusting the approach to mitigation without altering the scope or overall intent of the development. It remains within the parameters of the original planning condition and does not constitute a material alteration. In accordance with relevant legislation and guidance, we consider that the amendment can be treated as non-material. The amendment necessary to implement the updated Written Scheme of Investigation (WSI) is not material, as the proposed mitigation measures could have been approved under the terms of the original Condition 7.

On 15 May 2025, following internal discussions and legal consultation, Boston Borough Council and South Holland District Council confirmed that they are content for a Non-Material Amendment (Section 96A) application to be submitted to deal with this matter (email from Mr Charlie Parry, Senior Planning Officer, Development Management, Boston Borough Council).

We trust the contents of this letter are self-explanatory and look forward to receiving your decision on our Non-Material Amendment application. If you have any queries regarding the proposed amendments or wish to discuss this application in further detail, please contact us.

Yours faithfully

AGR Solar 2 Limited
Burlington Building
Fourth Floor
19 Heddon Street
London, W1B 4BG