

PD14933/CB/HH/NW

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James Taylor
Wiltshire Council
Monkton Park Offices,
Monkton Hill,
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16 January 2026

Dear James,

SMO UKI, RAIL INFRASTRUCTURE, NEW CHIPPENHAM FACILITY: TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), SECTION 96A – APPLICATION FOR NON-MATERIAL AMENDMENTS PURSUANT TO PLANNING PERMISSION REF: PL/2024/03204

On behalf of Siemens Mobility Limited (*“the Applicant”*), please find enclosed an application (*“the Application”*) for non-material amendments to planning permission Ref: PL/2024/03204 granted by Wiltshire Council on 25 October 2024, as amended by non-material amendment application Ref: PL/2025/01624.

BACKGROUND

On 25 October 2024, planning permission (Ref: PL/2024/03204) (the *“Planning Permission”*) was granted for:

“The erection of a new manufacturing and research and development centre, including ancillary offices, production facilities, laboratories, warehousing, ancillary staff facilities, external servicing areas, external area for the storage and internal fit-out of Relocatable Equipment buildings, ancillary test track-bed for static testing of signalling infrastructure equipment and car and cycle parking, together with access, drainage, landscaping and other associated infrastructure (e.g. substation) and works.”

The Planning Permission was granted subject to conditions and a Section 106 legal agreement.

A non-material amendment application was approved on 19 March 2025 (Ref: PL/2025/01624) for amendments to the Relocatable Equipment Building (REB) yard, the removal of a hydrant main and associated structures, amendments to the attenuation pond and earthworks strategy, alongside other de-minimis elevational changes in response to detailed design progression.

PROPOSED AMENDMENTS

This Application seeks approval for non-material amendments in respect of the approved roof level terrace which comprises amenity space available for staff during normal business hours (typically 07.30 – 15.30 with some office staff working until 17.00).

The proposed amendments include the omission of a small section of the upper level of vertical cladding which frames the eastern staff entrance, together with the removal of an area of raised flat roof. Extracts from the approved elevations (Ref: SMC-AHR-ZZ-ZZ-D-A-008402 REV P10) and proposed elevations (Ref: SMC-AHR-ZZ-ZZ-D-A-008402 REV P10-B) are

shown in **Figure 1** below. **Figure 2** provides extracts of the indicative 3D visuals of the approved and proposed scheme, which show the proposed amendments in context.



Figure 1: Left: South-East Elevation as approved (Ref: SMC-AHR-ZZ-ZZ-D-A-008402 REV P10) / Right: South-East Elevation as proposed (Ref: SMC-AHR-ZZ-ZZ-D-A-008402 REV P10-B)



Figure 2: Indicative 3D Visuals - Left: South-East Elevation as approved / Right: South-East Elevation as proposed

The area of cladding to be removed represents a small part of the southeastern elevation and, together with the removal of a small area of flat roof, would result in the opening up of the eastern staff entrance at ground level. The external staircase that provides access to the roof level amenity space from ground level will be rotated to accommodate the flat roof removal and concealed behind an area of full height cladding adjacent to the staff entrance.

As can be seen in **Figure 3**, the proposed cladding omission reduces the overall sense of scale and massing of this part of the building, whilst upholding the original design intent, with the high-level cladding continuing on either side of the terrace, maintaining the architectural link between the building's functions. Further, removing the roof section will enhance the sense of openness and create a lighter and more welcoming approach to the entrance of the building.

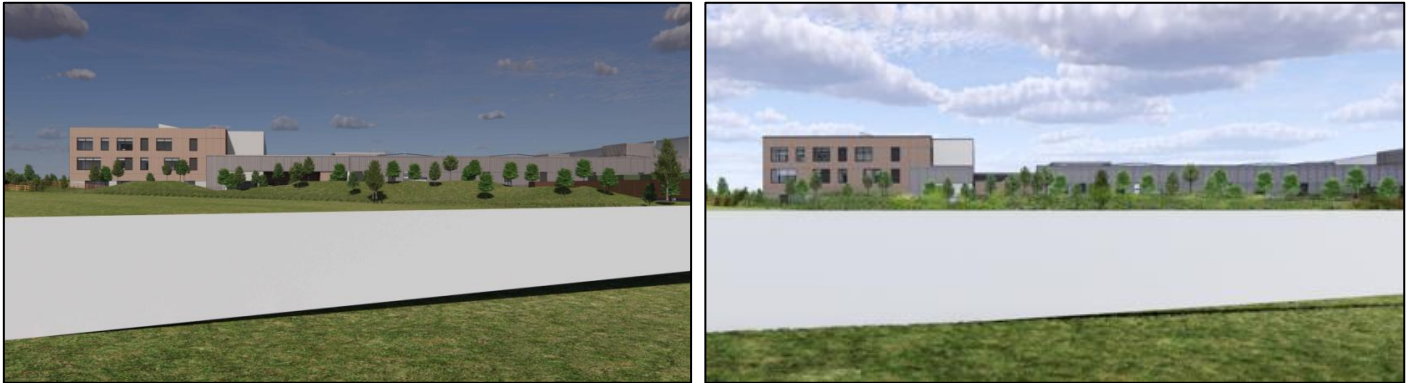


Figure 3: Indicative 3D Visuals (Longer Views) - Left: South-East Elevation as approved / Right: South-East Elevation as proposed

As shown in **Figure 4**, the roof level terrace remains set back from the main building line. It is proposed that the cladding that followed the main building and raised flat roof are removed and replaced by a 1.235m high parapet that is set back from the main building line and follows the line of the terrace instead.

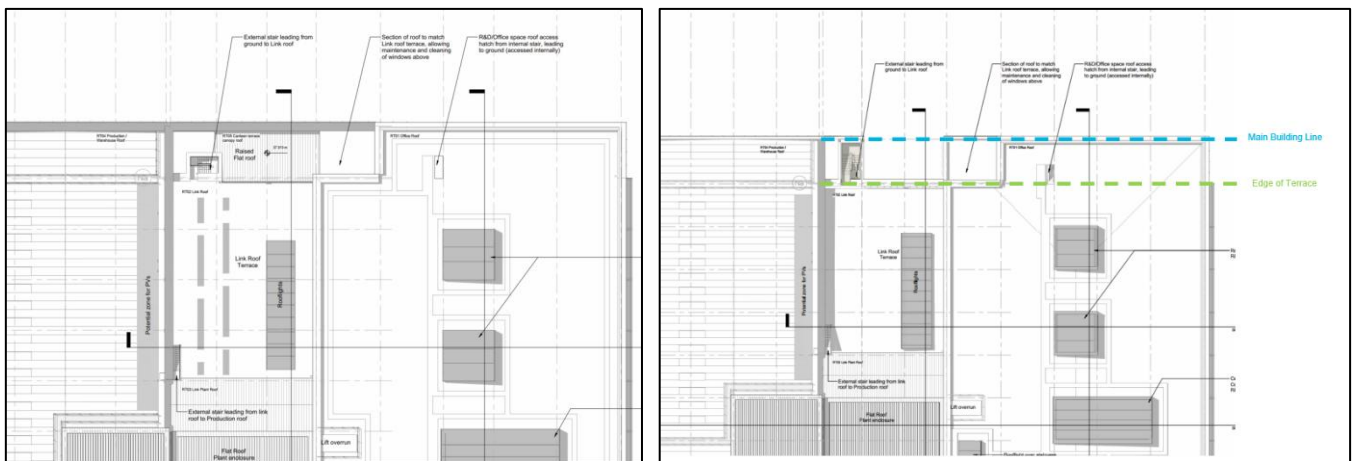


Figure 4: Extract from Left: Approved Roof Plan (Ref: SMC-AHR-ZZ-00-D-A-008203 P06) and Right: Proposed Roof Plan (Ref: SMC-AHR-ZZ-00-D-A-008203 P06-B)

Whilst the proposed amendments might increase the potential for additional views from the terrace, the nearest residential property is more than 150m from the main building line with a substantial landscaping bund in between. It is considered, therefore, that there is sufficient separation distance and visual screening between the terrace and nearest residential neighbours to ensure no issues of amenity or perceived overlooking.

Notwithstanding, it is proposed to update the landscape buffer along the south-eastern boundary with two additional trees proposed atop the bund adjacent to the terrace area. See extracts from the approved (Ref: SMC-AHR-EX-ZZ-D-L-008121 REV P07) and proposed soft landscaping plans (Ref: SMC-AHR-EX-ZZ-D-L-008121 REV P07-B) in **Figure 5** below. The enhanced landscaping will strengthen the approved landscape buffer and further contribute to the biodiversity enhancement of the Site.

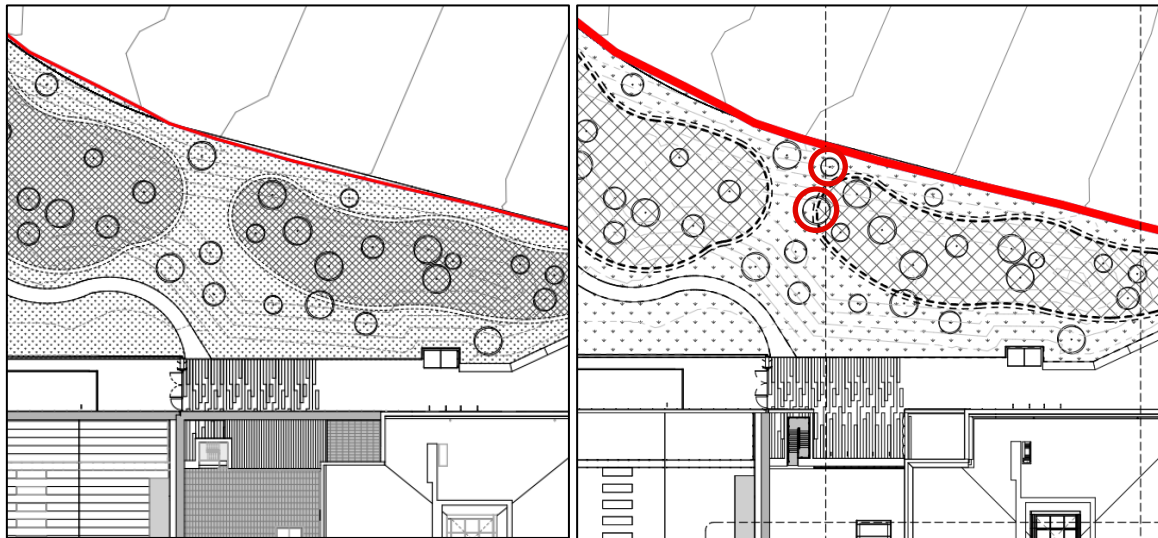


Figure 5: Left: Soft Landscaping as Approved (Ref: SMC-AHR-EX-ZZ-D-L-008121 REV P07) / Right: Soft Landscaping as Proposed (Ref: SMC-AHR-EX-ZZ-D-L-008121 REV P07-B) (2 No. new trees identified in red)

Legislative Context and Planning Assessment

Section 96a of the Town and Country Planning Act 1990 (as amended) gives power to Local Planning Authorities to make non-material changes to planning permissions. It states:

“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 what constitutes a non-material amendment. However, guidance is provided in the National Planning Practice Guidance (NPPG). The guidance states:

“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.

The power under Section 96a is, therefore, relatively broad in scope and we set out below why, in the context of the overall scheme, we consider that the alterations outlined above could be appropriately considered to be non-material and progressed by way of a S96a application. The principle of the proposed amendments has been discussed with the Planning Officer, James Taylor, prior to submission.

The proposed amendments seek to retain the principles and design intent established under the approved permission, with a consistent level of design quality in both the physical built form and the soft landscaping scheme. The area of cladding to be removed represents only a small part of the southeastern elevation and does not change the scale or footprint of the development, nor does its removal materially affect the overall appearance of the building.

The combination of existing and proposed landscaping will continue to provide a high level of visual screening between the development and neighbouring dwellings. The main façade of the building, from which the terrace is set back, is over 150 metres from the nearest residential properties. This separation, together with the landscaping measures, effectively mitigates any potential perception of overlooking. It is not considered, therefore, that the proposals will give rise to any further material impacts that have not been previously assessed.

To date, one previous Section 96a application has been approved (Ref: PL/2025/01624), which sought amendments to the REB yard, the removal of a hydrant main, amendments to the attenuation pond and earthworks strategy, and other de-minimis elevational changes. It is not considered that the terrace amendments proposed under this Application would, in combination with the changes already approved, result in effects of more than non-material nature.

For the reasons outlined above, we are of the view that the proposed alteration would not materially alter the overall appearance of the building, especially when considered as a whole, and an application under Section 96A is, therefore, appropriate in this case.

AMENDMENTS TO APPROVED DRAWINGS

To reflect the non-material amendments proposed under this Application, an updated drawing pack is hereby submitted to substitute the relevant drawings listed under Condition 2 of permission Ref: PL/2024/03204 (as amended), as set out in **Table 1** below.

Table 1: Schedule of Amended Drawings

DRAWING TITLE	DRAWING NO.	APPROVED REV	REVISED REV
Site Masterplan	SMC-AHR-EX-ZZ-D-L-008104	P19	P19-B
Site Sections	SMC-AHR-EX-ZZ-D-L-008141	P05	P05-B
Sections Sheet 1	SMC-AHR-ZZ-ZZ-D-A-008301	P07	P07-A
Sections Sheet 2	SMC-AHR-ZZ-ZZ-D-A-008302	P07	P07-A
Ground Floor Plan	SMC-AHR-ZZ-00-D-A-008201	P07	P07-B
Roof Plan	SMC-AHR-ZZ-RF-D-A-008203	P06	P06-B
Upper-Level Plans	SMC-AHR-ZZ-ZZ-D-A-008202	P06	P06-B
Elevations Sheet 2	SMC-AHR-ZZ-ZZ-D-A-008402	P10	P010-B

In addition to the above, the proposed amendments (namely the addition of two further trees in the landscaping bund) will have a knock-on impact on the soft landscaping scheme previously approved under application Ref: PL/2024/10715 to discharge Condition 10 pursuant to the Planning Permission, which was approved on 26 March 2025. Accordingly, updated drawings in line with those outlined in **Table 2** below have been submitted as part of this Application.

Table 2: Schedule of Amended Soft Landscape Drawings

DRAWING TITLE	DRAWING NO.	APPROVED REV	REVISED REV
Soft Landscape Masterplan	SMC-AHR-EX-ZZ-D-L-008121	P07	P07-B
Soft Landscape Plan 02	SMC-AHR-EX-ZZ-D-L-008123	P06	P06-B

ADMINISTRATIVE MATTERS

This Application has been submitted via the Planning Portal (Ref: PP-14567566) together with the drawings outlined in **Table 1** and **Table 2**.

The requisite fee of £383.00 (including the Planning Portal £85.00 service charge) has been paid online via the Planning Portal at the time of submission.

We trust the submitted information is sufficient to validate the Application but if you require any further information, please do not hesitate to contact Nathan Wilson (nathan.wilson@montagu-evans.co.uk / 07387 542303), Harriet Humphrey



(harriet.humphrey@montagu-evans.co.uk / 07826 552 594) or Craig Blatchford (craig.blatchford@montagu-evans.co.uk / 07984 458485). We look forward to hearing from you in due course.

Yours sincerely,

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MONTAGU EVANS LLP

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