

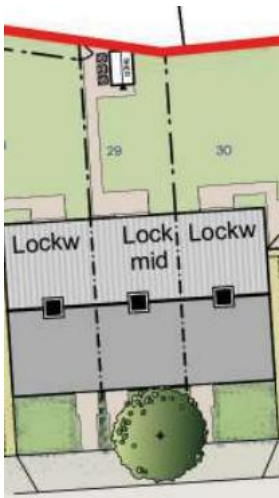
**APPLICATION FOR A NON-MATERIAL AMENDMENT
CASE OFFICER REPORT**

APPLICATION REFERENCE:	PL/2025/08687
APPLICATION TYPE:	NON-MATERIAL AMENDMENT
SITE ADDRESS:	Bugley Barton Farm, Land South of Victoria Road, Warminster
DEVELOPMENT DESCRIPTION:	Non-Material Amendment application (making minor changes to the plans approved) relating to application PL/2025/01523.
RECOMMENDATION:	That the non-material amendment be GRANTED

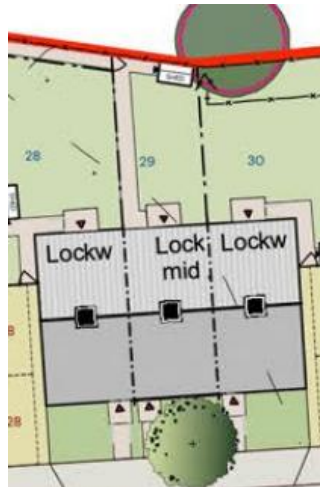
PROPOSAL

This report relates to a non-material amendment application to PL/2025/01523 seeking numerous minor changes to the plans approved under Condition 2 comprising the following:

- Minor amendments to plot layouts to ensure all garden gates are positioned behind the required electric meters, this is relevant to plots 214, 215, 200, 201, 185, 187, 193, 194, 195, 174, 175, 155, 156, 103, 104, 93, 95, 87, 88, 89, 90, 93, 92, 94, 95, 62, 63, 64, 65, 66, 50, 49, 48, 41, 40, 39, 38, 37, 36, 26, 25, 24, 22, 21, 18, 15.
- Relocation of the garden path associated with plot 29 to the left to provide access from the designated parking spaces. As detailed here -

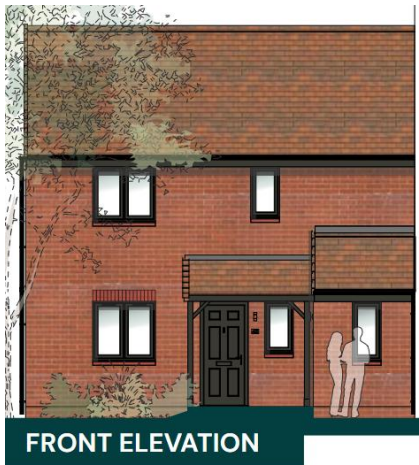


Proposed

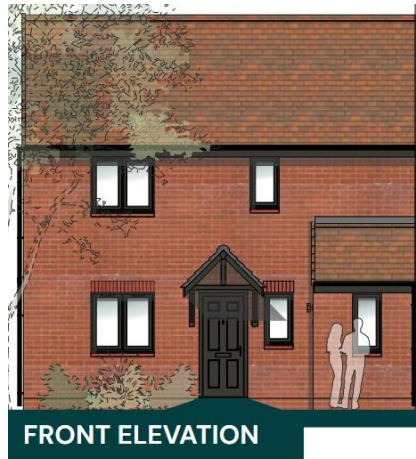


Approved ((PL/2025/01523))

- Minor changes to the Leadmill house type, extending to the inclusion of a new canopy over the entrance. As detailed here -



Proposed

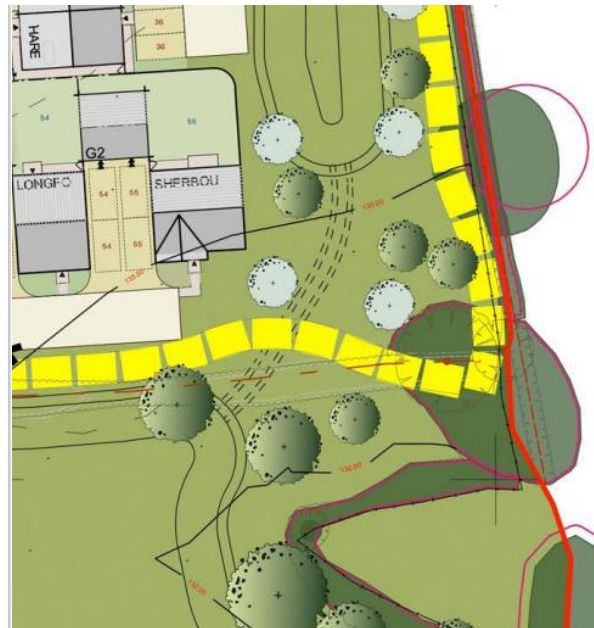


Approved (PL/2025/01523)

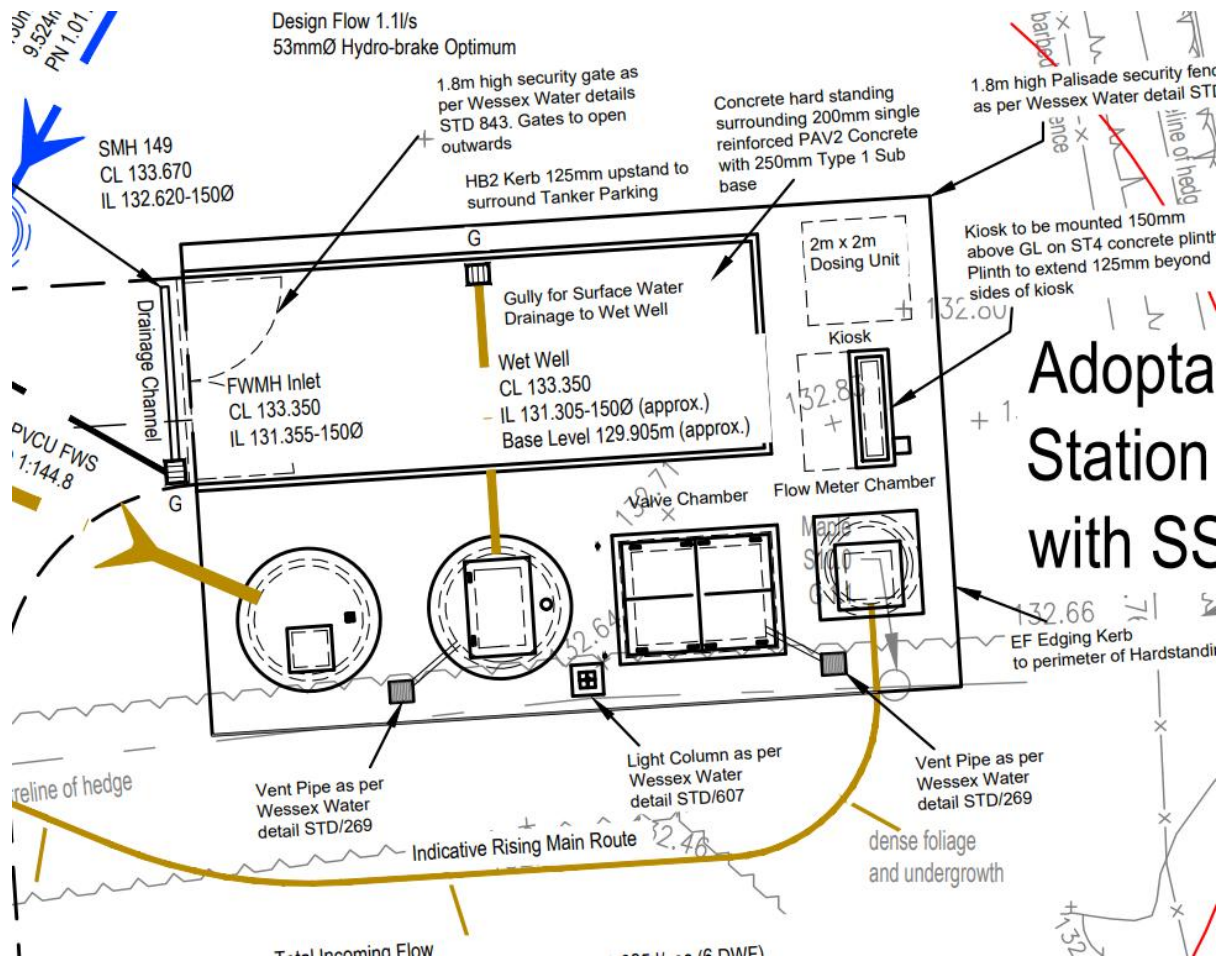
- Amendment of Pond C and incorporation of a pumping station near the south-eastern boundary of the site.
- A turning head opposite Plot 55 and realignment of the PROW have also been incorporated to provide access to the pumping station (see plans below).



Proposed (Pond C bottom left hand corner)



Approved (PL/2025/01523)



Pumping station plan

PLANNING HISTORY

PL/2025/09681 – Discharge of Condition 11 – **Under consultation**

PL/2025/09680 – Discharge of conditions 14 drainage and 15 surface water – **Under consultation**

PL/2025/01523 – Variation of conditions 2 (approved plans), 8 (construction traffic management plan), 9 (construction environmental management plan), 10 (junction details), 11 (tree and hedgerow protection), 12 (contamination), 13 (engineering plans), 14 (phasing plan), 15 (foul drainage), 16 (surface water drainage), 17 (landscape delivery schedule), 18 (lighting strategy) and removal of condition 7 (WSI) relating to 17/01463/FUL (A Comprehensive Development Comprising Demolition of the Existing Farm Buildings, Construction of 227 Residential Dwellings (Use Class C3), a New Vehicular Access, Public Open Space, Landscaping, Sustainable Urban Drainage and other Associated Infrastructure Works). – Approved

17/01463/FUL – A Comprehensive Development Comprising Demolition of the Existing Farm Buildings, Construction of 227 Residential Dwellings (Use Class C3), a New Vehicular Access, Public Open Space, Landscaping, Sustainable Urban Drainage and other Associated Infrastructure Works – Approved

RELEVANT LEGISLATION AND GUIDANCE

Town and Country Planning Act 1990 (as amended):

- Section 96A: This section provides the legal basis for non-material amendments to an existing planning permission. It allows Local Planning Authorities (LPAs) to make changes to a planning permission without the need for a new application, provided that the changes are considered to be "non-material."
- The Act does not define "non-material," and it is at the discretion of the LPA to determine whether a proposed amendment qualifies as such, considering the specific context of the development and its impacts.

CONSULTATION

As an application for a non-material amendment is not a full planning application, the provisions under the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to statutory consultation and publicity do not apply. Consequently, local planning authorities have discretion regarding whether and how to inform interested parties or to seek their views.

In this case, officers are satisfied the proposed amendments are minor in nature, and mindful of the approved major form of development, minor amendments can be incorporated without changing the character of the recently approved housing development and all of its associated infrastructure.

There would be no material impact that would necessitate consideration under the Environmental Impact Assessment Regulations 2011.

In this instance, it has not been considered necessary to place this NMA before the public for inspection.

However, the Councils Drainage Team were consulted with regard to the amendment to Pond C and incorporation of a pumping station and the drainage provided the following response pertaining to the pond–

'No documentation has been submitted to support this application for a non-material amendment to application PL 2025 01523. Therefore, we cannot make specific comments on the amendment. However, given that there is still an outstanding drainage condition on PL 2025 01523, we are happy that any changes/details pertaining to the drainage strategy will be picked up through an application to discharge this condition.'

ASSESSMENT

Non-material amendments can be accepted where the proposed changes do not materially alter the scheme's overall character, appearance and impact. They can involve minor adjustments to the design or other aspects of a previously approved development but should not fundamentally change its character, scale, or overall effect on the surrounding area.

This assessment has considered the proposed alterations to the plot layouts and to provide garden gates positioned behind the required electric meters for the plots listed above, the relocation of the garden path associated with plot 29 and the inclusion of a new canopy over

the entrance to the Lead mill house type properties, which are considered to be very minor in nature and would have no material impact on the wider character of what has been approved. The changes would also not materially compromise neighbour amenity, and the design of the dwellings, the landscape setting would not be materially changed.

With regard to the proposed redesign of Pond C and the incorporation of a pumping station as detailed above the applicants planning statement advises –

‘Although the shape and layout of Pond C have changed in the amended drainage plans, the functionality of the drainage system, how it operates, and its capacity remain unchanged from that approved under PL/2025/01523....’

The pumping station would be bounded by a 1.8 metre high fence. Visible elements would include the kiosk which would be 1.5 metres high. Other elements such as the valve chamber and flow meter chamber would be located underground. An area of concrete hardstanding would be made available within the pumping station to park a vehicle.

The council’s drainage team advise that technical details relating to the drainage scheme for the site can be assessed under a discharge of conditions for application PL/2025/01523 (relating to surface and foul water drainage).

The introduction of the proposed pumping station within the 200+ house scheme is considered an appropriate non-material amendment to the consented scheme taken as a whole.

The applicants advised within an email dated 13/01/2026, that the pumping station operator has confirmed that there would be no operational noise from the pumping station, and it would only be audible when under maintenance. It is therefore considered the erection of the pumping station would cause no material harm to neighbour amenities.

There would be no additional environmental impacts from the proposed changes outlined in this NMA development. The development does not include the erection of additional dwellings and consequently, there would be no increased nutrient neutrality burden.

The original housing development (17/01463/FUL) predated BNG and as such the proposed alterations cannot trigger BNG requirements at this stage.

The proposed alterations are considered proportionate and would not lead to a substantial reworking of the development and the alterations are considered policy compliant.

CONCLUSION

In conclusion, based on the assessment, it is recommended that the non-material amendment application be granted.

Condition 2 should be revised as follows –

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan drg no. P24-0579_DE__04-1 dard 4/2/25
 Site Layout Plan drg no. P24- 0579_DE_01_N_32
 Materials Plan drg no. P24-0579_DE__B_12
 Tenure Plan drg no. P24- 0579_DE_01_B_20
 House pack drg no. P24-0579_DE_B-02
 Phasing Plan drg no. P24-0579_DE__25 dated 4/2/25
 Phasing Plan (Roads) drg no. P24-0579_DE__A_25 dated 7/2/25
 Illustrative Street Scene drg no. P24-0579_DE_03_01 dated 03/02/25
 Illustrative Sections drg no. P24-0060_DE_05__01 dated 29/1/25
 Building Heights Plan drg no. P24- 0579_DE_01_A_18
 Density Plan drg no. P24- 0579_DE_01_A_23
 Character Areas drg no. P24- 0579_DE_01_A_24
 Boundaries and Enclosures Plan drg no. P24-0579_DE_01_A_19
 Refuse Strategy Plan drg no. P24- 0579_DE_01_B_21
 Parking Strategy Plan drg no. P24- 0579_DE_01_A_22
 Proposed Drainage Strategy Sheet 1 of 2 drg no. 24233-JUB-ZZ-XX-DR-C-500—P9
 Proposed Drainage Strategy Sheet 2 of 2 drg no. 24233-JUB-ZZ-XX-DR-C-501—P9
 Proposed General Arrangement Southern Arm of Existing Roundabout drg no. 24233-JUB-ZZ-XX-DR-C-102 rev P3
 Proposed Bus Route Tracking to New Southern Arm of Existing Roundabout drg no. 24233-JUB-ZZ-XX-DR-C-2600 rev P2
 Proposed Tracking Refuse Vehicle drg no. 24233-JUB-ZZ-XX-DR-C-2601 rev P6
 Proposed Visibility Layout drg no. 24233-JUB-ZZ-XX-DR-C-101 rev P2
 Temporary Construction Access drg no. 24233-JUB-ZZ-XX-DR-C-108 rev P1
 External lighting Layout & Light Spill drg no. QL1030-QODA-XX-XX-DR-YL-0901 rev P04
 Masterplan drg no. WHL-1872-01
 Design for LEAP drg no. WHL/LSVR/0005/B rev B
 Ecological Features Plan drg no. edp3431_d038
 Proposed Planning Levels Sheet 1 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-700 rev P4
 Proposed Planning Levels Sheet 2 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-701 rev P4
 Proposed Planning Levels Sheet 3 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-702 rev P4
 Proposed Planning Levels Sheet 4 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-703 rev P4
 Proposed Pump Station Layout details drg no. 24233-JUB-ZZ-XX-DR-C-570—P1
 Landscape and Ecological Management Plan by WHLandscape Feb 2024
 Construction Environmental Management Plan ref. HSS-PL-001-CEMP rev 2 dated May 2025
 Travel Plan by Jubb Consulting Engineers Ltd dated Jan 2025
 Transport Assessment by Jubb Consulting Engineers Ltd dated Jan 2025
 Shadow Habitat Regulation Assessment (rev 3) by Nutrient Neutral dated June 2025
 Nutrient Neutral Assessment & Mitigation Strategy (ref NNAMS/454 Rev 3) by Nutrient Neutral dated June 2025
 Flood Risk and Drainage Strategy (Jubb Consulting Engineers, April, 2025)
 Memorandum: Detailed Hydrogeological Assessment in the vicinity of Bugley Farm Warminster (Nutrient Neutral, 15th July 2025)

REASON: For the avoidance of doubt and in the interests of proper planning.

Condition 27 to be revised as follows –

The development will be carried out in strict accordance with the following documents:

Shadow Habitat Regulation Assessment (HRA) Screening Report and Appropriate Assessment. Rev. 3 (Nutrient Neutral, June 2025)

Flood Risk and Drainage Strategy (Jubb Consulting Engineers, April, 2025)

Proposed Drainage Strategy Sheet 1 of 2 drg no. 24233-JUB-ZZ-XX-DR-C-500—P9

Proposed Drainage Strategy Sheet 2 of 2 drg no. 24233-JUB-ZZ-XX-DR-C-501—P9

Ecological Features Plan. Drwg. No. Edp3431_d038. (EDP, 27 January 2025)

Site Layout Plan drg no. P24- 0579_DE_01_N_32

Memorandum: Detailed Hydrogeological Assessment in the vicinity of Bugley Farm Warminster (Nutrient Neutral, 15th July 2025).

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.