

The Town and Country Planning Act 1990
Refusal of non-material change to a planning permission
Application Reference Number: PL/2025/10001
Decision Date: 11/02/2026

Applicant:	Vistry Partnerships Cleeve Hall , Bishop's Cleeve, Cheltenham, Gloucestershire, GL52 8GD
Particulars of Development:	Non-Material Amendment to planning application 19/12100/REM to change the wording of condition 17
At:	Land At Foundry Lane, Chippenham, Wiltshire

I can confirm that having had regard to the effect of the proposed change, the Council concludes that the amendment is material and accordingly has **REFUSED** the request for a non-material change to the planning permission. The Council considers that the proposed change is material for the reason(s) given below

If you wish to pursue these changes, you will need to apply for planning permission.

Refusal Reason

- 1 The proposed amendment to Condition 17 is considered material and therefore cannot be treated as a Non-Material Amendment under Section 96A of the Town and Country Planning Act 1990 (as amended). The change sought would defer the implementation of essential highway safety measures—namely the approved road markings, soft kerb line, and give-way arrangement at the “village square”—which were required to be delivered prior to the first occupation of the development. Altering the trigger to allow occupation prior to delivery of this infrastructure would materially affect the operation of the approved scheme and the timing of critical mitigation. The nature and implications of the change are such that formal consultation with the Highways Authority and Ecology would be necessary, which cannot be undertaken under the non-material amendment procedure. Consequently, the amendment falls outside the scope of Section 96A and must instead be pursued through a Section 73 application to vary the condition.

Nic Thomas - Director of Planning, Economy and Regeneration

