

PD14933/CB/HH/NW

Email:

nathan.wilson@montagu-evans.co.uk /
harriet.humphrey@montagu-evans.co.uk /
craig.blatchford@montagu-evans.co.uk

James Taylor
Development Management,
Wiltshire Council,
County Hall,
Bythesea Rd,
Trowbridge
BA14 8JN

16 March 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.

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 a number of conditions and a Section 106 legal agreement.

A non-material amendment application was granted by Wiltshire Council on 19 March 2025 (Ref: PL/2025/01624), which secured 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.

A further non-material amendment application was approved on 13 February 2026 (Ref: PL/2026/00317), which secured amendments to the roof level terrace.

PROPOSED AMENDMENTS

This Application seeks a series of further non-material amendments to the Planning Permission that have arisen through the detailed design and construction processes. The construction phase is nearing completion, with practical completion targeted for Spring 2026.

Site Layout Amendments

Removal of Bund

The proposed amendments seek to remove part of the bund located to the north of the building, to the east of the site access (see **Figure 1.0**). This bund was not included within the original planning permission and was introduced through non-material amendment application Ref. PL/2025/01624 to accommodate excess soil on-site.

During the earthworks stage of construction, it was determined that the bund is no longer required. This Application therefore proposes its removal, reverting to the arrangement consented by the original Planning Permission. The soft landscaping proposals for this part of the Site remain otherwise unchanged.

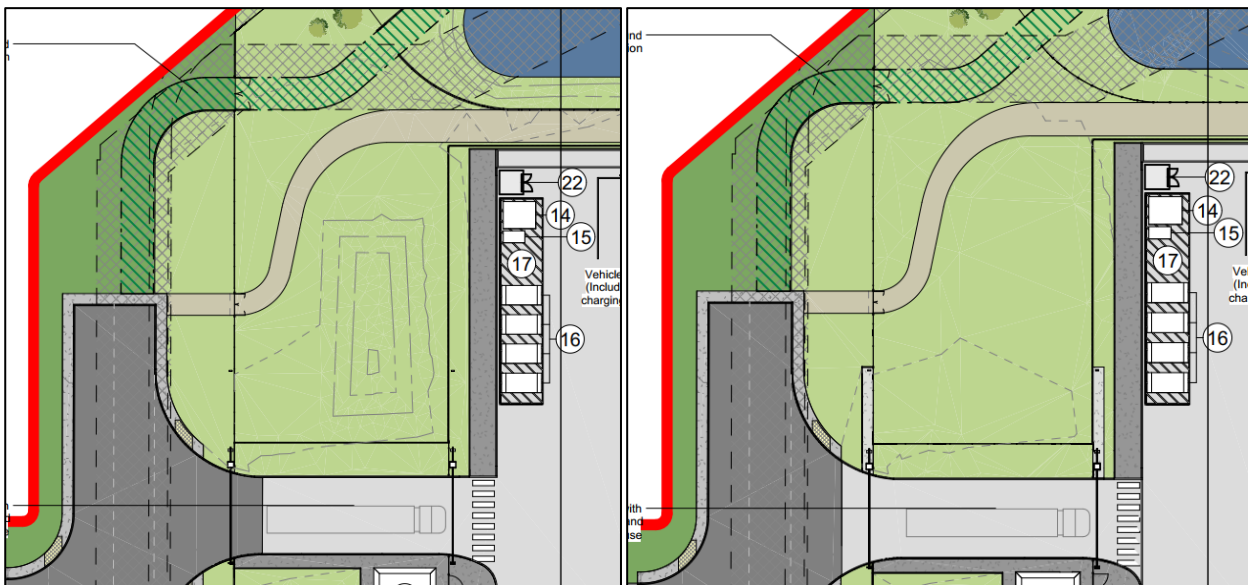


Figure 1.0: Site Masterplan, as approved (Drawing Ref. SMC-AHR-EX-ZZ-D-L-008104_P19-B) (left), Site Masterplan, as proposed by this application (Drawing Ref. SMC-AHR-EX-ZZ-D-L-008104_P23) (right)

External Structures

The approved Site Masterplan (SMC-AHR-EX-ZZ-D-L-008104_P19-B) includes a number of external structures, annotated by numbers 1 to 25, the details of which have been secured by the discharge of Condition 12 (Ref: PL/2025/04349).

This Application seeks amendments to a number of these structures for operational reasons, including:

- **LV Plantroom:** removal of the 'LV plantroom' external structure, located in the north-west corner of the Site Masterplan (No. '1' on Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P19-B), as this is no longer required. As a result, there has been a slight movement in the location of the electrical cabinet, identified by item No. '2' on the Proposed Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23).
- **Removal of LOC Storage:** removal of the LOC storage building, identified as No. '12' on approved Site Masterplan (Drawing Ref. SMC-AHR-EX-ZZ-D-L-008104_P19-B), located within the Relocatable Equipment Building (REB) Yard, and white lining of this area.
- **Nitrogen Tank:** installation of a small area of concrete slab in the corner of the REB yard, together with a connecting trench extending from the slab to the building, to accommodate a nitrogen tank, identified as No. '25'

on the Proposed Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23). The proposal also includes the extension of the fence around the rear of the slab. Details for the Nitrogen Tank have been submitted (Document Ref: A-SE TD200 and Ref: VIE 17 SKID datasheet).

- **Bin Store:** a bin store has now been included on the Site Masterplan as location No. '24', on the Proposed Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23). Details of this have been submitted (Drawing Ref: SMC-AHR-EX-ZZ-D-L-9049). In addition to this, the gabion wall specification in this area has been changed to the 'Geoman A&G Vertica Retaining Wall', details have been submitted (Document Ref: A&G Vertica Retaining Wall Document, 25-5980-F1)
- **Racking Storage:** revisions to the racking storage identified as area No. '12' on the Proposed Site Plan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23), comprising an increase in the internal dimensions of the building, to improve the operational functionality of the storage area and allow more efficient internal racking layout and circulation. In addition, four roller shutter doors are proposed along the front elevation.

In addition to the above, following the removal of the fire hydrant sprinkler tanks and a pumphouse to the north of the building adjacent to the access from the spine road (removed under non-material amendment application Ref: PL/2025/01624), an area previously shown on the approved Site Masterplan as part of the concrete yard is proposed to be landscaped with grass. .

Boundary Treatments

Amendments to the approved boundary treatments include:

- **Main entrance gates:** removal of the entrance gates to the main vehicle and pedestrian entrance along the north-west boundary of the Site and replacement with removable bollards.
- **Razor wire:** The razor wire has been removed from the top of the perimeter fencing, to improve visual appearance, whilst maintaining a secure boundary.
- **Turnstile / pedestrian gates:** removal of a turnstile and pedestrian gates within the line of the fencing.

The above amendments have been updated on the Proposed Boundary Treatment Plan (Ref: SMC-AHR-EX-ZZ-D-L-008106_P16).

Training Yard and Test Track Area

Amendments to the test track layout located in the north-west of the Site are proposed to meet the operational requirements. The revised design comprises two separate tracks with gated access, a central trench to facilitate wiring of various components and a train crossing lifting arm used for testing purposes.

Other changes within this part of the Site include:

- Relocation of test track control equipment enclosure, identified as No '5' on the approved Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P19-B) and Proposed Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23), which has been increased in size to accommodate enhanced operational requirements. Details have been submitted (Ref: 3241-01 PLAN Gatehouse MODULEK and Ref: 3241-03 ELEV Gatehouse MODULEK)
- Introduction of a Research and Development ('R&D') Modular Equipment Housing Container, as illustrated as No. '23' on the Proposed Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23), please see specification for MEH MK2 Building Rev 2.2.

- Increase in the size of the environmental chambers plant compound (as identified by No '9' on the on the approved Site Masterplan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P19-B) and Proposed Site Master Plan (Drawing Ref: SMC-AHR-EX-ZZ-D-L-008104_P23).

Parking Layout

Minor amendments are proposed to the car parking layout, including inter alia the reconfiguration of a section of parking along the south-western elevation to ensure that manhole covers are located within the grassed area rather than within the parking bays for accessibility and maintenance purposes, and reconfiguration of EV accessible parking bays.

Building Elevations

De minimis elevational changes have occurred in response to detailed design progression. Accordingly, amendments to the building elevations are proposed, comprising minor adjustments to window and door placement and elevational treatment, which can be summarised as follows:

- Incorporation of high-speed sectional doors within the production areas to improve safety and for operational purposes.
- Replacement of roller shutters to the warehouse with high-speed sectional doors for efficiency and security purposes.
- Introduction of an extra double door on the north-east elevation, along with additional fire-exit doors on the south-east elevation.
- Minor alterations to the north-west elevation, including the slight repositioning of windows and doors to better align with operational requirements.
- Amendments to the ground floor louvres which have been re-designed to meet security requirements.
- Top lights have been added to various windows across the building (south-east, south-west, north east (office) and north-west). Additional louvers have been included in top lights to the office, introduced to avoid large ducting being visible internally. Various top lights, previously shown as glass, have been replaced with louvers to enable external venting.
- The cladding returns previously incorporated within the brise soleil frame have been omitted.

The changes proposed are minimal, arising from the detailed design development, and can be considered to be de minimis in nature. The amendments do not alter the overall strategy or design intent of the Proposed Development and are required to ensure the building functions properly as an end-user led design.

Internal Floorplan

Minor amendments have been made to the internal layouts in response to developments in operational requirements, as illustrated on the Ground Floor Plan (drawing ref. SMC-AHR-ZZ-00-D-A-008201_P09) and Upper Levels Plan (drawing ref. SMC-AHR-ZZ-00-D-A-008201_P08). These changes relate solely to the internal configuration and do not affect the building footprint or use of the development.

Roof Amendments

Minor amendments are proposed to the roof layout, as shown on the submitted Proposed Roof Plan (Drawing Ref. SMC-AHR-ZZ-RF-D-A-008203_P09) and summarised below.

- The amount of PV has increased from 340 sqm to 816 sqm, as approved under the partial discharge of Condition 18 pursuant to planning permission ref: PL/2024/03204 (Application Ref. PL/2025/07301).
- Changes to production roof walkways / openings from plantrooms, including the introduction of stepped access to the plant areas located on the production roofs to ensure safe and practical access for maintenance purposes while remaining entirely concealed from external views.
- Reduction in the height of the lift shaft and removal of roof upstand from the drawings.
- Reduction in the length of the concourse rooflights to align with the concourse size.

Due to their nature, the amendments are not visible from ground level; however, they will enable a more efficient scheme that better meets the Applicant's specific operational requirements.

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."

Further to the above, Section 96a also provides the basis for new conditions to be imposed or existing conditions to be removed or altered. 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, these particular changes can be dealt with as non-material amendments.

In the context of the approved development, the proposed amendments can be considered to be non-material. They do not alter the scale or physical footprint of the development, nor do they materially alter the appearance of the development. The amendments proposed result from further detailed design and are intended to deliver a more efficient development, to meet the specific operational requirements of the Applicant.

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. Furthermore, the amendments will continue to deliver the same level of mitigation as the approved scheme.

Finally, it is not expected that the proposed amendments will result in any different or worse impacts than those originally assessed during the determination of the original planning application. In our opinion, an application under Section 96A of the TCPA is, therefore, appropriate in this case.

AMENDMENTS TO APPROVED DRAWINGS

To reflect 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 by PL/2026/00317 and Ref: PL/2025/01624, as set out in **Table 1** below.

DRAWING TITLE	DRAWING NO.	APPROVED REV	REVISED REV
Site Masterplan	SMC-AHR-EX-ZZ-D-L-008104	P19-B	P23
Boundary Treatment Plan	SMC-AHR-EX-ZZ-D-L-008106	P12	P16
Site Sections	SMC-AHR-EX-ZZ-D-L-008141	P05-B	P06
Sections Sheet 1	SMC-AHR-ZZ-ZZ-D-A-008301	P07-A	P09
Sections Sheet 2	SMC-AHR-ZZ-ZZ-D-A-008302	P07-A	P09
Ground Floor Plan	SMC-AHR-ZZ-00-D-A-008201	P07-B	P09
Roof Plan	SMC-AHR-ZZ-RF-D-A-008203	P06-B	P09
Upper-Level Plans	SMC-AHR-ZZ-ZZ-D-A-008202	P06-B	P08
Elevations Sheet 1	SMC-AHR-ZZ-ZZ-D-A-008401	P10	P13
Elevations Sheet 2	SMC-AHR-ZZ-ZZ-D-A-008402	P10-B	P13

Table 1: Schedule of Amended Drawings

CONDITIONS

A number of condition discharge applications have been approved by Wiltshire Council for the partial discharge of conditions pursuant to planning permission Ref: PL/2024/03204 in respect of the 'Development Site Phase' that are affected by the amendments proposed under this current application. These include:

- Condition 10 (Soft Landscaping) – Ref: PL/2024/10715, approved on 26 March 2025
- Condition 13 (Earthworks) – Ref: PL/2024/11109, approved on 28 March 2025
- Partial Discharge of Condition 12 (Hard Landscaping) – Ref: PL/2025/07073, approved 20 October 2025
- Partial Discharge of Condition 12 (External Structures) – Ref: PL/2025/04349, approved 14 July 2025
- Condition 19 (EV Charging) – Ref: PL/2025/05184, approved on 01 September 2025
- Informative 2 (Biodiversity Gain Plan) – PL/2024/11355, approved on 25 March 2025

The amendments proposed under this Application have knock-on effects on the details approved pursuant to the above, particularly those relating to the site layout. Accordingly, a concurrent condition discharge application is submitted (Ref: PP-14757288) to partially re-discharge details associated with the amendments outlined within this non-material amendment application.

ADMINISTRATIVE MATTERS

This Application has been submitted via the Planning Portal (Ref: PP-14730919) and comprises the following documents:

- Planning Covering Letter ('this letter'), dated 16 March 2025.
- Site Masterplan, drawing Ref: SMC-AHR-EX-ZZ-D-L-008104 Rev P23
- Boundary Treatment Plan, drawing Ref: SMC-AHR-EX-ZZ-D-L-008106 Rev P16
- Site Sections, drawing Ref: SMC-AHR-EX-ZZ-D-L-008141 Rev P06
- Sections Sheet 1, drawing Ref: SMC-AHR-ZZ-ZZ-D-A-008301 Rev P09
- Sections Sheet 2, drawing Ref: SMC-AHR-ZZ-ZZ-D-A-008302 Rev P09
- Ground Floor Plan, drawing Ref: SMC-AHR-ZZ-00-D-A-008201 Rev P09
- Roof Plan, drawing Ref: SMC-AHR-ZZ-RF-D-A-008203 Rev P09
- Upper-Level Plans, drawing Ref: SMC-AHR-ZZ-ZZ-D-A-008202 Rev P08
- Elevations Sheet 1, drawing Ref: SMC-AHR-ZZ-ZZ-D-A-008401 Rev P13
- Elevations Sheet 2, drawing Ref: SMC-AHR-ZZ-ZZ-D-A-008402 Rev P13
- A&G Vertica Retaining Wall Specification Document, Ref: 25-5980-F1 QP06 Proposal Rev A
- Test Track Control Equipment Enclosure, drawing Ref: 3241-01 PLAN Gatehouse MODULEK

- Test Track Control Equipment Enclosure, drawing Ref: 3241-03 ELEV Gatehouse MODULEK
- Nitrogen Tank Specification, document Ref: A-SE TD200
- Nitrogen Tank Specification, document Ref: VIE 17 SKID datasheet
- Bin Store Details, drawing Ref: SMC-AHR-EX-ZZ-D-L-9049 Rev C01
- Environmental Chambers Plant Compound, drawing Ref: SMC-AHR-EX-ZZ-D-A-2089 Rev C05
- Racking Storage Covered, drawing Ref: SMC-AHR-EX-ZZ-D-A-2084 Rev C02
- R and D Modular Equipment Building, document Ref: Specification for MEH MK2 Building Rev 2.2.

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,

Montagu Evans

MONTAGU EVANS LLP

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