

Application – PL/2026/03109

Non-Material Amendment to planning application PL/2024/03667 – Revised Highway Layout to accommodate Fire Appliance Turning & House type revision pursuant to Barnwood DT House type at Phase 3, Jubilee Gardens, Warminster

By way of some background to this NMA submission, the Council approved the Reserved Matters application for the third phase of the West Warminster extension on 12 December 2024, under application reference PL/2024/03667 which inter alia proposed the erection of 193 dwellings, along with the provision of public open space, landscaping and associated Infrastructure linked to that dedicated phase – which is linked to the approval of the outline planning application 15/01800/OUT in Dec 2020.

Section 96 of the Town and County Planning Act 1990 (TCPA) allows a developer to seek the Council's approval to make a non-material amendment to a planning permission or REM. In deciding whether a change is material, the decision maker must have regard to the effect of the change on the planning permission as originally granted. This power also allows a Council to impose new conditions or to remove / alter existing conditions.

Since the planning approval, updated fire appliance vehicle tracking regulations have been issued that results in some amendments to the approved planning layout. In addition, one of the proposed house types has been removed from the product range. As such, Persimmon Homes seek approval via a Non-Material Amendment to incorporate these revisions.

Fire appliance turning

Amendments are required to the layout of four private drives to incorporate fire appliance turning following the update to recent guidance issued by NHBC. The four locations are listed below:

- Turning facility introduced for access to plots 314 - 315
- Turning facility introduced for access to plots 324 - 327
- Turning facility introduced for access to plots 365 - 366
- Turning facility introduced for access to plots 375 - 378

In all of the stated locations, the associated plot parking spaces have moved back to create the turning facility without needing to amend plot positioning. It is also highlighted that plot P324 has been handed, and the parking moved to the eastern edge of the plot to better facilitate the appliance turning area. These four areas are highlighted in the following four extracts:



Barnwood DT house type - plots 328, 332, 356 and 366

The Barnwood DT house type has been removed from the Persimmon product range and is no longer available at Jubilee Gardens. As such, these four dwellings included within phase P3 are proposed to be amended to the standardised Barnwood house types.

The Barnwood DT included a side carport with first floor accommodation above – this is not included on the standard Barnwood, and instead simply has side parking with a detached garage.

Barnwood DT;



Barnwood;



Updated floor plans and elevations are provided for plots 328, 332, 356 and 336.

The above inserts illustrate the non-material 'change' the switch of house type would bring about whereby the size of the house would be reduced compared to what was previously approved. It should also be noted that the standard Barnwood house type

is already provided elsewhere on site, and this amendment would increase the total number of this house type from 8 to 12 – which would not result in any concerns over house type ratios.

The total number of units within this phase of development would remain unchanged.

The proposed amendment is considered to be minor in nature and would not materially change the essential character of the approved phase scheme to any great degree (at least not enough to warrant the submission of a variation application).

The proposal can therefore be advanced under section 96 of the TCPA 1990.

In support of the NMA application, the developer has reviewed the approved document registry that affects this phase and notes there has been two previous NMAs approved by the Council and the document register includes those as well as the amended plans that form part of this latest NMA submission to include the following

- 182.002 Rev K – Planning Layout 2 of 4
- Bw_Det_R25 Rev A Barnwood Detached Elevations
- Bw_Det_R25 Rev B Barnwood Detached Floor Plans

As contained within the Document Schedule Rev 1.5 (dated 08/05/2026) which itself includes the

Condition for this NMA

1. The NMA hereby approved and the remainder of the consented phased development shall be carried out in accordance with the updated schedule of documents and plans contained within the developer's Document Schedule Rev 1.5 as revised and dated 8 May 2026.

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