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Dear Peter,

**Unit 4C, Indurent Park Chippenham (former 'St. Modwen Park Chippenham'), Land South of J.17 of M4, Kington Langley, Wiltshire**

**Application under Section 73 of the Town & Country Planning Act 1990 for Variation of Conditions following grant of Full Planning Consent (PL/2024/07156)**

On behalf of Huber UK & Ireland Limited, I enclose the application form and supporting documentation for a Section 73 application, following grant of planning permission (ref: PL/2024/07156) for Units 4A-4D, Indurent Park Chippenham, Land South of J.17 of M4 Motorway, Kington Langley, Wiltshire. Planning permission was granted for the following description of development on 8 April 2025:

*"Erection of two units falling within Use Class B8 (storage and distribution) and two units falling within flexible Use Class B2 (general industrial) / Use Class B8 (storage and distribution) / Use Class E(g)(iii) (industrial processes), together with parking, strategic landscaping and ancillary development."*

The application seeks to amend approved plans under Condition 2 and the Gross Floor Area (GFA) under Condition 10 of the full planning permission (ref: PL/2024/07156). This cover letter will outline the key components of the Section 73 application and the proposals sought to amend Unit 4C only.

## Background

This Section 73 application is made following a previous submission of an application that sought approval for revised changes to Units 4A, 4B, 4C and 4D. A revised non-material amendment (NMA) application, approved on 27 February 2026 (ref: PL/2025/09924), granted consent for several minor changes to the units layout.

The amendments approved under the NMA application included the following:

- Introduction of two new pathways to the north of the site boundary to improve emergency and fire access;
- Alterations to layout, including relocation of Electric Vehicle Charging Points (EVCPs) across all four Units and slight repositioning to the cycle shelter at Unit 4C;
- Addition of louvres to each Units elevations to improve ventilation and thermal performance, contributing to energy efficiency;
- Replacement of previously approved bollards with swing barriers at car park entrances and exits providing enhanced security and controlled access on site;
- Increase in the quantum of photovoltaic panels (PV) across Units 4A – 4D;
- Minor adjustments to plant locations throughout the site, and

- Reduction of gravel margin and replacement of service yard concrete in the bottom right hand corner along the southern boundary between Units 4D and 4B to provide more sufficient access turning space for vehicles entering at the Unit and to allow for an added entrance point between Units 4D and 4B.

For completeness, the plans included in this section 73 application incorporate the changes approved under that NMA.

## Overview of proposed amendments

This application seeks consent for further bespoke amendments to Unit 4C relating to the internal layout changes to accommodate the requirements to suit a specific occupier (Huber Technology). Huber Technology is a multi-national company, with its UK base in the Bumpers Farm Industrial Estate, Chippenham and plans to relocate its Chippenham operations to Indurent Park, Chippenham, and will be subject to a 15-year lease for Unit 4C.

### Increase in mezzanine office space

At ground floor level, the amount of total floor space remains the same as per the approved scheme, however, circa 350 sqm is redistributed from warehouse use to office and ancillary use. At first floor level (mezzanine), the total floor space is to be increased to 381 sqm, remaining in office and ancillary uses. As a result, the proposals only increase the overall gross internal area (GIA) of the approved scheme by 226 sqm, from 3,714 sqm to 3,940 sqm through the additional first floor (mezzanine) space. The extent of the office extension is shown in 'Proposed Building Layout Plan – Ground Floor' drawing (ref: DP0006-P100-B) and 'Proposed Building Layout Plan – First Floor' drawing (ref: DP0006-P101-B). No external extensions to the unit are proposed.

### Additional window openings and elevation changes

In addition to the internal reconfiguration, amendments are proposed to the western external elevations of Unit 4C to introduce additional window openings to serve the increased office accommodation. New external access points into the unit are also proposed, facilitating improved circulation and access arrangements. Furthermore, tenant signage is proposed on the east and west elevations. The extent of the elevation changes is shown in 'Proposed External Elevations Plan (Annotated) – Ground Floor & First Floor' drawing (ref: DP0006-P1303).

### Wash down facility and parking

The proposed amendments also include provision for a wash down facility, located to the southeast of the Unit. The wash down facility will comprise a self-contained and enclosed structure as per the image on the submitted Site Plan. The facility will operate as part of the foul drainage network, and it is acknowledged that trade effluent discharge consent will be required from Wessex Water. This will be progressed and agreed once planning permission has been granted.

The proposals also include the installation of two new double electric vehicle charging points within the car parking area, supporting sustainable transport objectives. The extent of the external layout amendments are shown in 'Proposed Site Layout Plan (Annotated) – Unit 4C' drawing (ref: DP0006-P1306).

Furthermore, it should be noted that while the full planning permission application proposed 42 parking spaces for Unit 4C. A slight reduction is proposed, by one space to 41 spaces.

The proposed works are hereby limited to internal reconfiguration, the extension of the mezzanine to provide additional office accommodation at first floor level, associated changes to the external elevations, addition of a wash down facility and minor changes to the parking area.

In all other respects the scheme would remain the same as that approved under the original planning permission for the unit (ref: PL/2024/07156 and subsequent NMA).

### Justification for a S73 Application

For context, a Section 73 application permits the Local Planning Authority to grant a new planning permission with varied or removed conditions, provided the changes do not conflict with the operative description of the original permission.

The extant planning consent (ref: PL/2024/07156) established the principle of the use, appearance, landscaping, parking layout and scale for Units 4A-4D at the site. The changes proposed within this Section 73 application will continue to deliver development in accordance with the approved description of development and do not alter the fundamental nature or principle of the original permission.

Both updated and additional plans are included to accurately reflect and give context to the amended scheme.

Additionally, as demonstrated within the accompanying Transport Technical Note (ref: 10454-0001-B), the proposed increase in office floorspace does not give rise to any material impact on parking provision and results only in an increase of just 2 light vehicle trips in both the AM and PM peaks, with no increase in HGV trips. This is not considered to represent a significant uplift, and the impact of the proposed changes to Unit 4C is therefore expected to remain negligible. Likewise, it has been assessed in the technical note that Huber's operational approach and future demand for parking spaces can be accommodated by the proposed level of parking on site. The unit also remains within the same use class as originally approved, and as such, the amendments do not materially change the description of development or introduce a new use.

Recent case law, including *Armstrong v Secretary of State for Levelling-Up, Housing and Communities (2023) EWHC 176 (Admin)*, further clarified that a Section 73 is not limited to 'minor material amendments' and that there is no statutory limit on the degree of change permissible to conditions, so long as they do not alter the description of the development or result in a permission that is inconsistent with the original approval.

In this instance, the proposed amendments remain consistent with the original description and introduces limited new floorspace that has been assessed and found not to have any notable impact.

The amendments have been carefully considered to ensure they remain within the scope of the original permission and are therefore appropriately addressed with through a Section 73. On this basis, the changes should be acceptable in this respect and it is respectfully requested that consent should be granted.

### Application Documents

The following documentation is submitted to allow the Council to consider the proposed amendments.

| Plan                                                      | Reference No. | Consultant |
|-----------------------------------------------------------|---------------|------------|
| Completed Planning Application Form                       |               | Savills    |
| Site Location Plan                                        |               |            |
| Existing Site Layout Plan – Unit 4C                       | DP0006-P1304  | KERR       |
| Proposed Site Layout Plan – Unit 4C                       | DP0006-P1305  |            |
| Proposed Site Layout Plan (Annotated) – Unit 4C           | DP0006-P1306  |            |
| Existing Building Outline Plan – Ground Floor             | DP0006-P1307  |            |
| Proposed Building Outline Plan – Ground Floor             | DP0006-P104-A |            |
| Proposed Building Outline Plan (Annotated) – Ground Floor | DP0006-P1309  |            |
| Proposed Building Outline Plan – First Floor              | DP0006-P114   |            |

|                                                                       |                |     |
|-----------------------------------------------------------------------|----------------|-----|
| Proposed Building Outline Plan – Second Floor                         | DP0006-P213    |     |
| Existing Ground Floor General Arrangement Plan                        | DP0006-E001    |     |
| Existing First Floor General Arrangement Plan                         | DP0006-E002    |     |
| Existing Second Floor General Arrangement Plan                        | DP0006-E003    |     |
| Proposed General Arrangement Plan – Ground Floor                      | DP0006-P100-B  |     |
| Proposed General Arrangement Plan – First Floor                       | DP0006-P101-B  |     |
| Proposed General Arrangement Plan – Second Floor                      | DP0006-P102    |     |
| Existing External Elevations Plan – Ground Floor & First Floor        | DP0006-P1301-B |     |
| Proposed External Elevations Plan – Ground Floor & First Floor        | DP0006-P1302-B |     |
| Proposed External Elevations (Annotated) – Ground Floor & First Floor | DP0006-P1303   |     |
| Demolition Plan – Proposed Ground Floor                               | DP0006-P151    |     |
| Demolition Plan – Proposed First Floor                                | DP0006-P150    |     |
| Unit 4C Transport Technical Note                                      | 10454-0001-C   | PJA |

The Unit 4C specific plans have been prepared by KERR Architects on behalf of the incoming occupier. As a result, these plans carry a different drawing reference numbering standard (DP0006 series) to those previously approved under the UMC Architects (24316 series). The KERR plans supersede the equivalent UMC drawings for Unit 4C only as identified in Appendix 1.

All previously approved plans relating to Units 4A, 4B and 4D remain unchanged and are not affected by this application.

If consented, this Section 73 planning permission would result in the plans stated above and specified in Appendix 1 being approved (those in grey shown as superseded).

The planning application fee is calculated to be £2,076.00 (+ £91 planning portal service charge fee) and has been paid by bank transfer to the Planning Portal. We understand that the payment will be 'confirmed' the same working day and the application will be released to you, as the Local Planning Authority, the next working day.

I trust the application is in order and I look forward to confirmation of receipt and validation. If however you have any queries please do not hesitate to contact me.

Yours sincerely



**Geraint Jones MRTPI**  
**Joint Head of Planning (Bristol)**

## Appendix 1

| Plan / document                                           | Approved Units 4A-4D Full Planning Permission (PL/2024/07156) | Approved Units 4A-4D NMA Application (PL/2025/09924) | Current Section 73 (for Unit 4C only)                                                                                                                                                                                     |
|-----------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Location Plan                                        | 24316-UMC-ZZ-SI-DR-A-0501 [P05]                               | 24316-UMC-ZZ-SI-DR-A-0501 [P05]                      | Savills                                                                                                                                                                                                                   |
| Site Layout                                               | 24316-UMC-ZZ-00-DR-A-0601 [P05]                               | 24316-UMC-ZZ-00-DR-A-0601 [P09]                      | -                                                                                                                                                                                                                         |
| * Existing Site Layout Plan – Unit 4C                     | N/A                                                           | N/A                                                  | DP0006-P1304                                                                                                                                                                                                              |
| * Proposed Site Layout Plan – Unit 4C                     | N/A                                                           | N/A                                                  | DP0006-P1305                                                                                                                                                                                                              |
| * Proposed Site Layout Plan (Annotated) – Unit 4C         | N/A                                                           | N/A                                                  | DP0006-P1306                                                                                                                                                                                                              |
| Unit 4A – Office Plans                                    | 24316-UMC-ZZ-ZZ-DR-A-1002 [P03]                               | 24316-UMC-ZZ-ZZ-DR-A-1002 [P03]                      | -                                                                                                                                                                                                                         |
| Unit 4B – Office Plans                                    | 24316-UMC-ZZ-ZZ-DR-A-1012 [P02]                               | 24316-UMC-ZZ-ZZ-DR-A-1012 [P02]                      | -                                                                                                                                                                                                                         |
| Unit 4C – Office Plans                                    | 24316-UMC-ZZ-ZZ-DR-A-1022 [P03]                               | 24316-UMC-ZZ-ZZ-DR-A-1022 [P03]                      | <b>Proposed General Arrangement Plans:</b><br><br><b>Ground Floor – DP0006-P100-B</b><br><br><b>First Floor – DP0006-P101-B</b><br><br><b>Second Floor – DP0006-P102</b>                                                  |
| Unit 4D – Office Plans                                    | 24316-UMC-ZZ-ZZ-DR-A-1032 [P02]                               | 24316-UMC-ZZ-ZZ-DR-A-1032 [P02]                      | -                                                                                                                                                                                                                         |
| Unit 4A – Building Plan                                   | 24316-UMC-ZZ-ZZ-DR-A-1001 [P03]                               | 24316-UMC-ZZ-ZZ-DR-A-1001 [P03]                      | -                                                                                                                                                                                                                         |
| Unit 4B – Building Plan                                   | 24316-UMC-ZZ-ZZ-DR-A-1011 [P02]                               | 24316-UMC-ZZ-ZZ-DR-A-1011 [P02]                      | -                                                                                                                                                                                                                         |
| * Unit 4C – Existing Building Outline Plan (Ground Floor) | N/A                                                           | N/A                                                  | DP0006-P1307                                                                                                                                                                                                              |
| Unit 4C – Building Plan                                   | 24316-UMC-ZZ-ZZ-DR-A-1021 [P03]                               | 24316-UMC-ZZ-ZZ-DR-A-1021 [P03]                      | <b>Proposed Building Outline Plans:</b><br><br><b>Ground Floor – DP0006-P104-A</b><br><br><b>Ground Floor (Annotated) – DP0006-P1309</b><br><br><b>First Floor – DP0006-P114</b><br><br><b>Second Floor – DP0006-P213</b> |

|                                                                                   |                                 |                                 |                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------|---------------------------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unit 4D – Building Plan                                                           | 24316-UMC-ZZ-ZZ-DR-A-1031 [P02] | 24316-UMC-ZZ-ZZ-DR-A-1031 [P02] | -                                                                                                                                                                                  |
| Unit 4A – Roof Plan                                                               | 24316-UMC-ZZ-ZZ-DR-A-1003 [P02] | 24316-UMC-ZZ-ZZ-DR-A-1003 [P03] | -                                                                                                                                                                                  |
| Unit 4B – Roof Plan                                                               | 24316-UMC-ZZ-ZZ-DR-A-1013 [P02] | 24316-UMC-ZZ-ZZ-DR-A-1013 [P03] | -                                                                                                                                                                                  |
| Unit 4C – Roof Plan                                                               | 24316-UMC-ZZ-ZZ-DR-A-1023 [P02] | 24316-UMC-ZZ-ZZ-DR-A-1023 [P03] | -                                                                                                                                                                                  |
| Unit 4D – Roof Plan                                                               | 24316-UMC-ZZ-ZZ-DR-A-1033 [P02] | 24316-UMC-ZZ-ZZ-DR-A-1033 [P03] | -                                                                                                                                                                                  |
| Unit 4A – Section Plan                                                            | 24316-UMC-ZZ-ZZ-DR-A-1101 [P01] | 24316-UMC-ZZ-ZZ-DR-A-1101 [P02] | -                                                                                                                                                                                  |
| Unit 4B – Section Plan                                                            | 24316-UMC-ZZ-ZZ-DR-A-1111 [P01] | 24316-UMC-ZZ-ZZ-DR-A-1111 [P02] | -                                                                                                                                                                                  |
| Unit 4C – Section Plan                                                            | 24316-UMC-ZZ-ZZ-DR-A-1121 [P01] | 24316-UMC-ZZ-ZZ-DR-A-1121 [P02] | -                                                                                                                                                                                  |
| Unit 4D – Section Plan                                                            | 24316-UMC-ZZ-ZZ-DR-A-1131 [P01] | 24316-UMC-ZZ-ZZ-DR-A-1131 [P02] | -                                                                                                                                                                                  |
| Unit 4A Elevations Plan                                                           | 24316-UMC-ZZ-ZZ-DR-A-1301 [P04] | 24316-UMC-ZZ-ZZ-DR-A-1301 [P05] | -                                                                                                                                                                                  |
| Unit 4B Elevations Plan                                                           | 24316-UMC-ZZ-ZZ-DR-A-1311 [P04] | 24316-UMC-ZZ-ZZ-DR-A-1311 [P05] | -                                                                                                                                                                                  |
| * Unit 4C – Existing Elevations Plan                                              | N/A                             | N/A                             | DP0006-P1301-B                                                                                                                                                                     |
| Unit 4C Elevations Plan                                                           | 24316-UMC-ZZ-ZZ-DR-A-1321 [P04] | 24316-UMC-ZZ-ZZ-DR-A-1321 [P05] | <b>Proposed External Elevations Plan:</b><br><br><b>Ground Floor &amp; First Floor –</b><br>DP0006-P1302-B<br><br><b>Ground Floor &amp; First Floor (Annotated) –</b> DP0006-P1303 |
| Units 4D Elevations Plan                                                          | 24316-UMC-ZZ-ZZ-DR-A-1331 [P04] | 24316-UMC-ZZ-ZZ-DR-A-1331 [P05] | -                                                                                                                                                                                  |
| * Existing General Arrangement Plans – Ground Floor, First Floor and Second Floor | N/A                             | N/A                             | <b>Ground Floor –</b> DP0006-E001<br><br><b>First Floor –</b> DP0006-E002<br><br><b>Second Floor –</b> DP0006-E003                                                                 |
| * Demolition Plan – Proposed Ground Floor                                         | N/A                             | N/A                             | DP0006-P151                                                                                                                                                                        |
| * Demolition Plan – Proposed First Floor                                          | N/A                             | N/A                             | DP0006-P150                                                                                                                                                                        |
| External Fencing and Protection Plan                                              | 24316-UMC-ZZ-00-DR-A-0701 [P03] | 24316-UMC-ZZ-00-DR-A-0701 [P07] | -                                                                                                                                                                                  |

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| <b>External Surfacing Plan</b>                                   | 24316-UMC-ZZ-00-DR-A-0702 [P03]   | 24316-UMC-ZZ-00-DR-A-0702 [P09]                                  | - |
| <b>B2 Parking Arrangement Plan</b>                               | 24316-UMC-ZZ-00-DR-A-0602 [P01]   | 24316-UMC-ZZ-00-DR-A-0602 [P02]                                  | - |
| <b>Cycle Shelter Details Plan</b>                                | 24316-UMC-ZZ-00-DR-A-0703 [P02]   | 24316-UMC-ZZ-00-DR-A-0703 [P06]                                  | - |
| <b>Landscape Concept Plan</b>                                    | 2381-24-01H - Plot 4              | 2381-24-01K PLOT 4                                               | - |
| <b>Landscape Concept Sections Plan</b>                           | 2381-24-02D                       | 2381-24-02G                                                      | - |
| <b>Landscape Overview Plan</b>                                   | 2381-24-03D                       | 2381-24-03G                                                      | - |
| <b>Mounds B and C – Additional Trees Plan</b>                    | 2381-24-04A                       | 2381-24-04A                                                      | - |
| <b>Soft Landscape Works Maintenance and Management Proposals</b> | 2381/24/RP01C                     | 2381/24/RP01C                                                    | - |
| <b>Utility Services Layout</b>                                   | 240379-CPW-XX-XX-DR-N-007001 P05  | IPC1-EC1-ZZ-XX-D-E-2001 C01                                      | - |
| <b>Plot 4 Proposed Levels Plan</b>                               | 09138-HYD-XX-XX-DR-D-4200 P8      | 09138-HYD-XX-XX-DR-D-4200 P15                                    | - |
| <b>Plot 4 Proposed Site Sections Plan</b>                        | 09138-HYD-XX-XX-DR-D-4202 P3      | 09138-HYD-XX-XX-DR-D-4202 P3                                     | - |
| <b>Plot 4 Vehicle Tracking Plan</b>                              | 09138-HYD-XX-XX-SK-S-0008         | 09138-HYD-XX-XX-SK-S-0008-P4                                     | - |
| <b>HGV Tracking Sheet 1</b>                                      | 09138-HYD-24-XX-DR-C-0181 Rev P01 | 09138-HYD-24-XX-DR-C-0181 Rev P04                                | - |
| <b>HGV Tracking Sheet 2</b>                                      | 09138-HYD-24-XX-DR-C-0182 Rev P01 | 09138-HYD-24-XX-DR-C-0182 Rev P04                                | - |
| <b>HGV Tracking Sheet 3</b>                                      | 09138-HYD-24-XX-DR-C-0183 Rev P01 | 09138-HYD-24-XX-DR-C-0183 Rev P04                                | - |
| <b>HGV Tracking Sheet 4</b>                                      | 09138-HYD-24-XX-DR-C-0184 Rev P01 | 09138-HYD-24-XX-DR-C-0184 Rev P04                                | - |
| <b>HGV Tracking Sheet 5</b>                                      | 09138-HYD-24-XX-DR-C-0185 Rev P01 | 09138-HYD-24-XX-DR-C-0185 Rev P04                                | - |
| <b>HGV Tracking Sheet 6</b>                                      | 09138-HYD-24-XX-DR-C-0186 Rev P01 | 09138-HYD-24-XX-DR-C-0186 Rev P04                                | - |
| <b>External Lighting Layout</b>                                  | 240379-CPW-XX-XX-DR-E-221001 P04  | External Lighting Layout – Unit 4A – IPC1-EC1-4A-XX-D-E-1411 C01 | - |

|                                                                                   |                                      |                                                                  |              |
|-----------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------|--------------|
|                                                                                   |                                      | External Lighting Layout – Unit 4B – IPC1-EC1-4B-XX-D-E-1421 C01 |              |
|                                                                                   |                                      | External Lighting Layout – Unit 4C – IPC1-EC1-4C-XX-D-E-1431 C01 |              |
|                                                                                   |                                      | External Lighting Layout – Unit 4D – IPC1-EC1-4D-XX-D-E-1441 C01 |              |
| <b>Ecological Impact Assessment</b>                                               | 2368-EcIA-NH                         | 2368-EcIA-NH                                                     | -            |
| <b>Construction Ecological Management Plan</b>                                    | 2368-CEMP-RY-REV1                    | 2368-CEMP-RY-REV1                                                | -            |
| <b>Design and Access Statement</b>                                                | 24316 Rev D                          | 24316 Rev D                                                      | -            |
| <b>Preliminary Air Quality Appraisal</b>                                          | 5150100-ATK-ZZ-CH-RPT-C-0104_Rev 3.0 | 5150100-ATK-ZZ-CH-RPT-C-0104_Rev 3.0                             | -            |
| <b>Revised Unit 4 Air Quality Technical Note</b>                                  | J10-15584B-10                        | J10-15584B-10                                                    | -            |
| <b>Archaeological Evaluation Report</b>                                           | 88781.02                             | 88781.02                                                         | -            |
| <b>Drainage Management Strategy</b>                                               | 09138-HYD-U4-XX-RP-D-0001 P3         | 09138-HYD-U4-XX-RP-D-0001 P3                                     | -            |
| <b>Flood Risk Assessment</b>                                                      | 09138-HYD-U4-XX-RP-D-0001 P3         | 09138-HYD-U4-XX-RP-D-0001 P3                                     | -            |
| <b>Framework Travel Plan</b>                                                      | 08234_R_01_B                         | 08234_R_01_B                                                     | -            |
| <b>Review of Contaminated Land Planning Conditions and Supporting Information</b> | 09138-HYD-UNIT4-XX-TN-GE-0001        | 09138HYD-UNIT4-XX-TN-GE-0001                                     | -            |
| <b>Noise Assessment</b>                                                           | 15584A-20-R01-03                     | 15584A-20-R01-03                                                 | -            |
| <b>* Unit 4C Transport Technical Note</b>                                         | N/A                                  | N/A                                                              | 10454-0001-C |

**Note:**

\* New Plan / Document – not previously part of the approved drawing set.

Where the 'Current Section 73' column contains (-), the previously approved plan/report remains unchanged and is not affected by this application.