

Our ref: TH/TR/Q200773
Your ref: P21/05372/RM
Email: tim.rainbird@quod.com
Date: 4th October 2023



Planning Department
South Gloucestershire Council
Department for Environment and Community Services
Strategic Planning
Bristol
BS37 0DD

Submitted via Planning Portal (PP-12502541)

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Plot 4 Land at Western Approach, Severn Beach, South Gloucestershire, BS35 4JX
Section 96a Non-Material Amendment to planning permission ref. P21/05372/RM
(dated 24th June 2022)
Submitted on behalf of BGO Wire Propco Ltd

We are instructed by our client, BGO Wire Propco Ltd ('the Applicant'), to submit the enclosed Section 96A application, which seeks approval for a non-material amendment to planning permission ref. P21/05372/RM (dated 24th June 2022) at Plot 4, Land at Western Approach, Severn Beach, South Gloucestershire, BS35 4JX ('the Site'). This application seeks approval for amendments to the site layout to provide details of the proposed foul pump station.

As Officers will be aware, an application made under Section 96A is not an application for planning permission. A non-material amendment is a quick and straightforward procedure that allows non-material amendments to be approved by the Local Planning Authority within 28 days. Section 38(6) is not relevant for the reasons set out in this covering letter. It should also be noted that Government does not expect consultation or publicity to be required given the non-material nature of this amendment, which is wholly relevant in this instance.

The application is comprised of the following documents:

- **Requisite application form, duly completed;**
- **Copy of Decision Notice (ref. P21/05372/RM, dated 24th June 2022);**
- **Previously approved drawings, prepared by UMC Architects; and**

Drawing Title	Drawing Reference	Scale
Proposed Site Plan (1)	20341 P0102 F	1:500 @ A1
Proposed Site Plan (2)	20341 P0103 C	1:500 @ A1





Drawing Title	Drawing Reference	Scale
Fence Layout	20341 P0104 F	1:1000 @ A1
External Finishes	20341 P0107 F	1:1000 @ A1

- **Email Correspondence with Wessex Water;**
- **Proposed drawings, prepared by UMC;**

Drawing Title	Drawing Reference	Scale
Proposed Site Plan (1)	20341 P0102 G	1:500 @ A1
Proposed Site Plan (2)	20341 P0103 D	1:500 @ A1
Fence Layout	20341 P0104 G	1:1000 @ A1
External Finishes	20341 P0107 G	1:1000 @ A1

An online payment of £234 has been paid to South Gloucestershire Council as well as the requisite administration fee to the Planning Portal (PP-12502541).

1 Background

On 27th November 1957, outline planning permission was granted (ref. SG4244) for the following development:

- Development of an area of 1,000 acres for the construction of factories for the production of chemicals and other industrial uses;*
- Development of an area of 545 acres for offices; warehouses; stores; reservoirs; pumphouses; canteens; clubs; hostels; training establishments; amenity and welfare buildings; sports pavilion and playing fields;*
- Development of an area of 1,100 acres for the construction of ancillary engineering operations for the factory development permitted under part (i);*
- The change of use of the existing farmland for pseudo residential and office use; and*
- The construction of access to existing public highway points.*

The outline permission was subject to 10no. conditions including Condition 1 which required the submission of details relating to building appearance, layout and scale where land within the outline area was located within the perimeter zone which is the case with Plot 4. The outline permission



remains extant ('the Extant Outline Permission') and capable of implementation, as confirmed by South Gloucestershire Council (SGC) through the site's planning history.

On 24th June 2022, a planning application seeking approval of details pursuant to Condition 1 of the Extant Outline Permission was granted in respect of Plot 4 (ref. P21/05372/RM). The details concerned the appearance, layout and scale of 1no. commercial building within Use Class B8 (storage and distribution). The permission was subject to 14no. conditions, including 1no. pre-commencement condition which was subsequently discharged on 2nd October 2023 (ref. DOC23/00200). The approved description of development was as follows:

“Reserved Matters Application pursuant to condition 1 of planning permission ref. SG4244 (dated 27th November 1957) comprising the layout, design and external appearance of 1 no. commercial building (Use Class B8) including servicing arrangements, vehicle parking, landscaping, attenuation features and associated works.”

The scheme comprised a single unit of 26,717 square metres (GIA) on a site large development area of 12.42 ha. The permitted unit has a parapet height of 16.35 metres and a maximum height of 18.75 at the roof edge stair tower. For the avoidance of doubt, this is significantly lower than the 36.6 metre (120 foot) restriction imposed on proposals within the perimeter area, as specified in Condition 3 of the Extant Outline Permission.

The unit includes ancillary office and welfare areas, access, HGV loading docks and service yard, parking, bus stop, attenuation pond and improved pedestrian access. A large area was also permitted immediately adjacent to the site access for the installation of the foul water pump station associated with the drainage operation of the development area (as shown on approved drawing ref. 20341 P0103 C). At the time of approval, this detail was not yet known, as it was subject to ongoing discussion and agreement with Wessex Water (under Section 104 of the Water Industry Act (1991)).

Works pursuant to planning permission ref. P21/05372/RM commenced in June 2021. It is intended that this position is regularised as part of a recently submitted discharge of condition application (ref. PP-12490388) which seeks to discharge Conditions 9 and 11 of ref. P21/05372/RM. The application is currently pending validation by SGC.

The enclosed non-material amendment application relates to Condition 14 (Approved Plans) of implemented permission ref. P21/05372/RM. A copy of the Decision Notice is enclosed for reference.

2 Proposed Non-Material Amendment

This application seeks a non-material amendment to planning permission ref. P21/05372/RM, dated 24th June 2022. As summarised above, this was a significant development extending to 12.42 ha and providing 26,717 square metres (GIA) of floorspace along with 302no. parking spaces, a large servicing yard with 109no. HGV spaces and 79no. loading docks, 2no. bus stops and a large attenuation pond.



As Officers will be aware, there is no statutory definition of 'non-material', as 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 19901. And in determining the application, the local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. To confirm, in this instance, there have been no previous changes made under section 96A.

The changes sought under this application relate primarily to providing further details of the hardstanding area adjacent to the site access. This area is required to accommodate the detailed design of the proposed foul pumping station, which serves the Site and wider development area. Discussions with utility provider, Wessex Water, have progressed since approval and these details are now known. Hence, this application is made as a non-material amendment to the approved application (ref. P21/05372/RM) to provide details of the foul pumping station arrangement.

As indicated on the updated Proposed Site Plan (ref. 20341 P0102 G & 20341 P0103 D), the foul pumping station enclosure and surface treatments are now shown, along with a minor adjustment to the footprint of this area. Specifically, as shown on the submitted drawings, this area will be enclosed by a 2.4 metre high paladin fence and be part tarmac and part concrete. For the avoidance of doubt, no other changes are proposed to the approved layout.

The changes above are sought following advanced discussions with Wessex Water, in anticipation of Section 104 Technical Approval, which is expected imminently. Submitted with this application are the detailed drainage plans, prepared by Fairhurst, which demonstrate the arrangement that is in the process of being agreed with Wessex Water. Officers will note that within the foul pumping station compound, the majority of the works are below ground. Moreover, redacted email correspondence is also submitted which demonstrates the status of said technical discussions and that Technical Approval for the Section 104 Agreement is pending. Technical drawings, prepared by Fairhurst, are submitted with this application for information purposes only, as these drawings will be approved separately via the Section 104 agreement.

In summary, in the context of the approved application, the proposed changes are considered to be non-material in nature, relating to a modest enlargement of an area of hard standing required to accommodate the installation of the foul pumping station that is required to support the development; details of the foul pumping station arrangement are also provided following discussions with Wessex Water on the technical approval. The changes can therefore be determined via non-material amendment and are considered to be wholly acceptable in this respect.

¹ Planning Practice Guidance Paragraph: 002 Reference ID: 17a-002-20140306



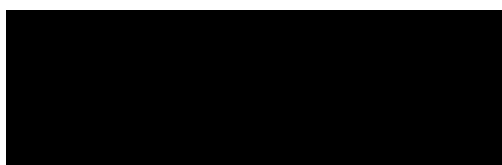
3 Conclusion

We are instructed by our client, BGO Wire Propco Ltd, to submit the enclosed Section 96A application, which seeks consent for a non-material amendment to the approved planning application ref. P21/05372/RM.

The scale and nature of the changes are considerable to be non-material in the context of the approved scheme and as such we trust that the NMA can be approved without undue delay.

The enclosed information is considered sufficient to ensure that the application is validated and subsequently registered. However, if this is not the case for any reason, please contact us immediately. Otherwise, we look forward to receiving confirmation of registration in due course.

Yours faithfully,



Tim Rainbird
Senior Director

Encs.

cc. BGO Wire Propco Ltd.