

Date: 12th February 2024
Your Ref: PP-12342203
Our Ref: 15222g

DWD

69 Carter Lane
London
EC4V 5EQ

Cherwell District Council
Development Management
Place & Growth Directorate
Bodicote House
Banbury
OX15 4AA

To Whom it May Concern,

APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT (1990) AS AMENDED – NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REFERENCE 21/04157/F AT BANBURY 200, SOUTHAM ROAD, BANBURY OX16 2FW

On behalf of Amazon UK Services Ltd (the ‘Applicant’) we submit herewith an application under Section 96A of the Town and Country Planning Act 1990 for non-material amendment (‘NMA application’) to planning permission ref. 21/04157/F.

The application has been submitted via the Planning Portal (reference PP-12342203). The requisite fee for the application is £357.00 (exclusive of the planning portal service charge) and a payment to this amount has been made online.

On 1st April 2022, under ref: 21/04157/F Cherwell Council granted planning permission for the:

“Use of the site for the storage of operational vehicles, together with elevational and site alterations, associated parking, welfare facilities, vehicle barrier and associated infrastructure”

Section 96A of the Town Country Planning Act 1990 gives local planning authorities the power to approve changes to an existing planning permission if it is satisfied that the proposed changes are not material in the context of the overall scheme.

This application to seeks to amend the approved landscaping scheme and site plan, seeking to convert some of the previously proposed van storage spaces to landscaping and make a small change to the boundary treatment. The number and species of trees will remain the exactly the same it is just that their positioning has been moved forward within the site slightly. All the amendments fall within the red line boundary of the application.

The permission has been partially built, with construction starting 8th August 2022. Regrettably the proposals for the adjacent site, which were approved after ours proposed to install a retaining wall which would otherwise prevent the approved landscaping scheme from being implemented. To ensure compatibility between the proposals, we are applying to change our own proposals in this location. We set out below why we consider the proposed change is non-material as follows:

- The changes will not amend the use of the approval;
- The changes will not result in an intensity of use;
- The changes would not result in a change to the description of the application or conflict with conditions;
- The red line area remains the same;
- The changes would not have any implications in terms of adopted policy;
- There are no changes to the appearance of the site that would not materially alter the aesthetic of the site;
- There are no changes to the quality or quantity of landscaping proposed;
- The changes are not such that they would warrant re-consultation;
- No increase to height on the site is proposed;
- No increase in the width of the building is proposed; and
- The footprint of the development remains unchanged.

The table below summarises the previously approved drawings and their updated counterparts for ease of reference:

Approved Drawing / Document	Proposed Drawing / Document
Softworks General Arrangement Plan (ref: 388-UW-T-001 Rev C)	Softworks General Arrangement Plan (ref: 388-UW-T-001 REV G)
5 Year Landscape Maintenance and Management Plan (November 2021)	5 Year Landscape Maintenance and Management Plan (November 2023) (Rev E)
Proposed Site Plan (ref: A003 Rev P14)	Proposed Site Plan (ref: A003 Rev P18)
External Works Plan (ref: A007 Rev P05)	External Works Plan (ref: A007 Rev P07)
Site Access and Parking Equipment (ref: A021 Rev P04)	Access and Parking Equipment (ref: A021 Rev P06)

We trust that the application includes sufficient information to enable it to be validated and should you require further information or clarification on any matter then please do not hesitate to contact me.

Yours faithfully,



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