

**Our ref:** Q210286  
**Your ref:** PP-12881439  
**Email:** johnathan.welton@quod.com  
**Date:** 12 March 2024



Laura Bell  
Cherwell District Council  
Development Management  
Bodicote House  
Bodicote  
OX15 4AA

By Planning Portal

Dear Officers

### **Axis J9, Phase 3 – Non-Material Amendment**

On behalf of Albion Land (“the Applicant”), please find enclosed an application for a Non-Material Amendment (NMA) to planning permission 21/03177/F at Axis J9 (“the Site”). The application seeks to vary the list of approved plans set out in Condition 2 to alter Unit 4’s loading door arrangements to accommodate the operations of the intended occupiers. Amendments are sought to amend the gate details of Units 4 & 5, and amend the colour of paving alongside the access road. Amendments are therefore required to conditions 24, 25 and 26 to reflect the updated Site Finishes Plan.

The following information has been submitted via the Planning Portal and replaces existing plans referenced in **Table 1** (located on the following page):

- 20019-TP-002 Rev T ‘Proposed Site Plan’
- 20019-TP-003 Rev M ‘Proposed Site Finishes Plan’
- 20019-TP-009 Rev E ‘Unit 4 Floor Plans’
- 20019-TP-012 Rev E ‘Unit 4 Elevations’
- 20019-TP-025 Rev A ‘Typical Canopy Details’
- 20019-TP-026 Rev A ‘Fencing Details’

The following plans have been submitted via the Planning Portal and are supporting information:

- 14042-67-3 Vehicle Tracking Unit 3 HGV Max Legal Artic
- 14042-67-2 Vehicle Tracking Unit 2 HGV Max Legal Artic



- 14042-67 Vehicle Tracking Unit 1 HGV Max Legal Artic
- 14042-67-5 Vehicle Tracking Unit 5 HGV Max Legal Artic
- 14042-67-4 Vehicle Tracking Unit 4 HGV Max Legal Artic

A payment of £293 has been paid via the Planning Portal to cover the application fee for Non-Material Amendments.

### Proposed Non-Material Amendment

The National Planning Practice Guidance that new issues may arise after planning permission has been granted which require modification to the approved plans (Paragraph: 001 Reference ID 17a-001-20140306). Where less than substantial changes are proposed, it confirms it is appropriate to pursue these through an application for non-material amendments.

### Amendments

A non-material amendment to the permission was approved in May 2023 (LPA reference 23/01205/NMA) for the variation of Condition 2, 24, 25 and 26. The changes approved via that NMA also related to loading arrangements for Unit 4, which had been tailored to another prospective occupier. The approved plans show five level loading bays and one loading door. The proposed plans show four loading bays and two loading doors.

The amendments also seek to amend the gates for units 4 & 5. Table 1 outlines the approved and proposed drawings and summarised changes.

Table 1: Revised Application Drawings (Changes Indicated in Red)

Approved Drawing Reference	Proposed Drawing Reference	Summarised Alterations
20019-TP-002 Rev S Proposed Site Plan	20019-TP-002 Rev <b>T</b> Proposed Site Plan	Alterations to service yard to reflect new loading arrangements. Surface finishes are updated to coordinate with the previous phase.
20019-TP-003 Rev M Proposed Site Finishes Plan	20019-TP-003 Rev <b>N</b> Proposed Site Finishes Plan	Alterations to service yard to reflect new loading arrangements. Surface finishes are updated to coordinate with the previous phase.
20019-TP-009 Rev D Unit 4 Floor Plans	20019-TP-009 Rev <b>E</b> Unit 4 Floor Plans	Updated for new loading door arrangements.



20019-TP-012 Rev E Unit 4 Elevations	20019-TP Rev F Unit 4 Elevations	Updated to show new loading arrangements.
20019-TP-025 Typical Canopy Details	20019-TP-025 Rev A Typical Canopy Details	Updated to remove reference to units 6-11 (which are not part of the approved development) and replaced with Units 1-3.
20019-TP-025 Fencing Details	20019-TP-025 Rev A Fencing Details	Details of entrance to Units 4 & 5 amended to swinging gates.

The changes are not considered to represent a material alteration to the approved scheme and the changes will therefore not have a different impact than those approved.

Conditions 24 and 25 are compliance conditions and will require the updated Site Finishes Plan to be updated to Revision N.

Condition 26 was discharged in June 2023 (LPA reference 23/01035/DISC) following the submission of the acoustic fencing details. It is sought the conditions is amended to be a compliance condition, which reflects the revised Site Finishes Plan and references the requirement for development to be in accordance with the Acoustic Fencing Details (drawing no. 20019-TP-029).

### **Rational for the Amendments**

The applicant has secured a tenant for Unit 4 and the changes are proposed to facilitate their operational requirements. The amendments principally relate to the loading arrangements..

Minor changes are proposed to alter the colour of paving to match previous phases of development at Axis J9. The proposals also clarify the canopy details for the relevant units.

### **Planning Considerations**

The proposed changes are non-material and seek to make alterations to suit tenant requirements. The proposed amendments are predominantly focused on a small area of the scheme, in relation to Unit 4.

In the context of the scheme as a whole, the changes are negligible and do not alter the character, nature or impacts of the development.

Supporting vehicle tracking information for each of the units has been submitted in support of this application and demonstrates the amendments will not have any adverse impacts on the vehicle turning. They demonstrate there remains adequate space and provision required for entering and leaving each unit.



## Summary

The proposed amendments are non-material in nature and are consistent with the approved development in relation to design rationale and principle of development. The amendments relate mainly to the service yard of Unit 4, with slight changes to paving along the access road and the gates to enter Unit 5. These amendments are required to meet tenant requirements.

The development continues to accord with the relevant policies in the adopted development plan, the National Planning Policy Framework and other government guidance.

I trust that the above is acceptable and look forward to receiving confirmation of formal validation in due course. Please do not hesitate to contact me should you require further information.

Yours sincerely



Johnathan Welton  
Assistant Planner

enc. As noted  
cc. Kelvin Pearce, Albion Land