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Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
BB7 2RA

Our Ref: EKPS/240806/JK

Submitted via the Planning Portal

2 October 2024

Dear Kathryn,

## **Non-Material Amendment Application to planning permission 3/2022/0537: Land adjacent to Northcote Road, Langho BB6 8BG**

On behalf of our client Alderley Group, please find enclosed an application for a Non-Material Amendment in respect of the above planning permission, submitted under Section 96A of the Town and Country Planning Act 1990 (as amended) (PP-13439103).

Payment of the required Planning Application Fee (£363) in line with the Town and Country Planning (Fee for Applications, Deemed Applications, Requests and Site Visit) (England) Regulations 2012), has been made via the Planning Portal.

### **Background**

Planning permission ref: 3/2022/0537 was granted on 28 April 2024 for the following development at land adjacent to Northcote Road, Langho BB6 8BG (herein referred to as the “Consented Scheme”):

*“Proposed residential development of 8 detached dwelling houses”.*

The Consented Scheme comprises of seven two storey houses and a dormer bungalow, each accessed via an internal estate road off Northcote Road. The front elevations generally present a vertical emphasis with porch features, bay windows and two-storey gables. Each property is to be constructed in Darlstone walling (buff in colour) with charcoal-coloured roof tiles.

Planning permission was secured by Oaktree (Construction Design and Management) Ltd. however, since this time, Alderley Group have agreed to take on the site and deliver the houses. Having reviewed the permission in detail, it is apparent that a series of small changes to the approved scheme are needed to modernise the design and layout of the houses and enhance the development’s overall quality and marketability.

As a result, this application seeks to make a series of Non-Material Amendments to the Consented Scheme, which are summarised in the section below and detailed in the plans submitted with this application.

## Summary of the Proposed Changes

The proposed changes to the Consented Scheme can be summarised as follows:

- Minor alterations to the internal layout of the properties, to include:
  - Addition of a ground-floor study within Units 1 and 3
  - The inclusion of en-suite bathrooms to bedroom 2 within Units 1- 7.
- Feature chimneys added to all properties.
- Addition of an en-suite window on gable elevation of Units 2, and 4-6.
- Traditional canted bays adjusted to contemporary square-edged bays.
- First-floor feature windows within the front gables revised to align with the header level of adjacent openings, but with feature stonework above.
- Very minor adjustments to the position and size of various windows.
- Removal of feature render to front elevations, to be substituted with main brick.
- Oaktree crest removed from the main access gates into the site and slight simplification of gate design.
- Unit 1: Omission of side window to bedroom 2 and additional front-facing window to dining area.
- Unit 7: Additional dining area window added to front elevation.
- Unit 8: An adjusted eaves line and removal of its canted bay. Increased footprint (4.2sqm) to ground-floor to create a more usable kitchen / dining area.

In order to agree the above amendments, this application specifically seeks to agree revised drawings which will require the re-wording of condition 2 of the Consented Scheme which lists the approved drawings.

An updated package of plans has been produced in support of this Non-Material Amendment application. These are listed in Table 1, below and overleaf, alongside the corresponding reference numbers for the plans that they will directly supersede.

| Consented Plan: Title and Reference   | Proposed Plan Title and Reference   |
|---------------------------------------|---|
| Block Plan 2203-PL-02A                | Illustrative Site Layout 24075-02-SLR   |
| Proposed Site Layout Plan 2203-PL-03F | Proposed Site Layout 24075-01-SLR   |
| Proposed Street Scenes 2203-PL-04F    | Illustrative Street Scenes 24075-03-AD  |
| Plot 1 2203-PL-10                     | Plot 1 Proposed Floor Plans 24076_HT1_01<br>Plot 1 Proposed Elevations 24075_HT1_02         |
| Plots 2, 4 & 6 2203-PL-30             | Plot 2/4/6 Proposed Floor Plans 24076_HT2_01<br>Plot 2/4/6 Proposed Elevations 24075_HT2_02 |
| Plot 3 2118-PL-50B                    | Plot 3 Proposed Floor Plans 24076_HT3_01  |

| Consented Plan: Title and Reference            | Proposed Plan Title and Reference   |
|--|---|
|  | Plot 3 Elevations 24076_HT3_02  |
| Plot 5 2203-PL-20B                             | Plot 5 Proposed Floor Plans 24076_HT5_01<br>Plot 5 Proposed Elevations 24075_HT5_02 |
| Plot 7 2203-PL-10                              | Plot 7 Proposed Floor Plans 24076_HT7_01<br>Plot 7 Proposed Elevations 24075_HT7_02 |
| Dormer Bungalow Plot 8 2203-PL-40D             | Plot 8 Proposed Floor Plans 24076_HT8_01<br>Plot 8 Proposed Elevations 24075_HT8_02 |
| Detached Garage to Plots 1, 3 and 7 2203-PL-06 | Plot 7 Garage 25075_HT7_03  |
| Boundary Fencing and Walls 2203-PL-05A         | Boundary Treatment Layout 24075-04-SLR<br>Boundary Treatment Details 24075-05-SLR   |

^ Table 1

## Basis of Determination

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a Local Planning Authority (“LPA”) in England to make a change to any planning permission where they are satisfied that the change is not material. Specific powers (at S.96A(3)) are also provided to remove or alter existing conditions.

S.96a(2) states that in deciding whether a change is material, a LPA must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

Whilst there is no definition of what constitutes a Non-Material Amendment, National Planning Practice Guidance (“PPG”) recognises that it will be in the context of the overall scheme.

## Evaluation of the Changes

The proposed amendments will modernise and enhance the appearance and quality of the housing, whilst maintaining the overall design ethos of the Consented Scheme – i.e. a small, hamlet-style estate – and carrying through the approved package of materials. The principal elevations of the properties will continue to present a vertical emphasis, with large, well-proportioned windows and ground-floor bays to provide further interest.

Importantly the proposed housing mix and type will remain unchanged. The orientation and size of the individual plots and units will remain the same (except for unit 8, as described below) and there will be no changes to the access arrangements or approved level of car parking.

As described above, the ground-floor footprint to Unit 8 has been increased by a small amount (4.2sqm) to create a more useable kitchen / dining area. This results in a 2.5% increase in the floor-space associated with this property, which is not considered to be a material uplift. This figure becomes even more negligible, when considered in the context of the overall development. Furthermore the enlargement to Unit 8 will not be perceptible from surrounding streets and it will not change the design ethos previously approved as part of the Consented Scheme.

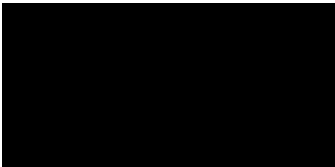
Importantly, the increased footprint to Unit 8 would not give rise to any additional impacts on the amenity of neighbouring residents. The Ferns, to the north, has a ground-floor bedroom window in its facing side elevation. However, it is considered that the amenity afforded to this room will not be impacted by the proposed enlargement to Unit 8, given its position, its separation from the common boundary, and the presence of 2no. 1.8m high boundary fences between the two dwellings.

Whilst a number of small alterations are proposed to the consented fenestration pattern, again this will not result in a material impact with respect to the development's relationship with neighbouring properties, or the overall appearance of the houses, to an extent that would warrant re-consultation on the application.

## Conclusion

It is concluded that that the changes sought by this application constitute a Non-Material Amendment in accordance with the provisions set out in Section 96A of the Town and Country Planning Act 1990 (as amended). I trust the submitted information is sufficient, however should you have any questions, or require further information, please do not hesitate to contact me by email or telephone (07300 806 110).

Yours faithfully,



James Ketley MRTPI

