

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

Our Ref: EKPS/240806/KP

Submitted via the Planning
Portal

22 May 2025

FAO Kathryn Hughes

Dear Kathryn,

Minor Material Amendment Application in respect of planning permission 3/2024/0115: Land adjacent to Northcote Road, Langho, BB6 8BG

On behalf of the applicant, Alderley Group, please find enclosed an application for a Minor Material Amendment in respect of the above planning permission, submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) (PP-PP-14033236).

Payment of the required Planning Application Fee (£586 plus £85 planning portal application fee) in line with the Town and Country Planning (Fee for Applications, Deemed Applications, Requests and Site Visit) (England) Regulations 2012, will be made via the Planning Portal.

The application comprises the following documents:

- This Covering Letter prepared by Euan Kellie Property Solutions;
- Completed Application Forms and Associated Fee;
- Site Location Plan Ref. 2203-PL-01A Rev. A
- Updated Architectural Plans:
 - Proposed Site Layout Drawing Ref. CL_01 Rev. N, prepared by MPSL
 - Landscape Plan Drawing Ref. 4986 04 Rev. A, prepared by dep Landscape
- Updated Approved Plans List (Appendix 1).

Background

Planning permission ref: 3/2022/0537 was granted by Ribble Valley Borough Council (“RVBC”) on 28 April 2024 for the following development at land adjacent to Northcote Road, Langho BB6 8BG:

“Proposed residential development of 8 detached dwelling houses”.

More specifically, the development comprises of seven two storey houses and a dormer bungalow, each accessed via an internal estate road off Northcote Road. Subsequent to this, a further consent has been granted under Section 73 of the Town and Country Planning Act for a Minor Material Amendment (“MMA”) to the original permission on 17 May 2024 to adjust visibility splays under application ref: 3/2024/0115 (herein referred to as the “Consented Scheme”). These permissions were secured by Oaktree (Construction Design and Management) Ltd. however, since this time, Alderley Group have acquired the site and are set to build-out the Consented Scheme.

However, since the above planning permission has been issued there has been several changes to the permission through the submission of further applications for Non-Material Amendments (refs 3/2025/0192 and 11/03/2025). Application ref. 11/03/2025 sought permission to make a number of alterations to the permitted scheme, all of which were considered to be non-material, with the exception of the request to adjust the position of Unit 7.

It is necessary to move Unit 7 1.5 metres eastwards (within its plot), to avoid an existing drainage line. The planning case officer has advised that this change is more than ‘non-material’ and as such, this application for a minor material amendment, subsequently follows (under the provisions of Section 73 of the Town and Country Planning Act – commonly known as a ‘Section 73 application’).

Proposed Changes to the Site Layout

As set out above, this application seeks consent to reposition Unit 7 eastwards by 1.5 metres to avoid an existing drainage line and associated easement. The house is to be reposition within the existing Plot and will not result in any adverse impacts on the consented scheme.

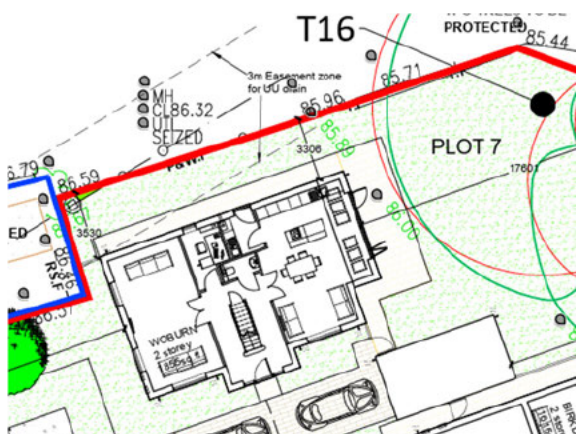


Figure 1: Consented Layout of Plot 7 (Source: Drawing no. 2203-PL-03 Rev. K)

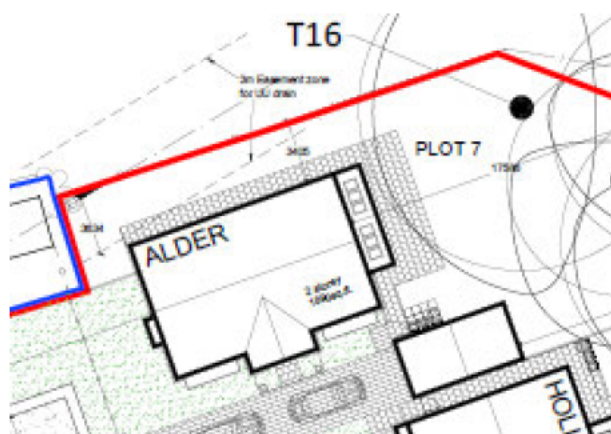


Figure 2: Proposed Layout of Plot 7 (Source: Proposed Site Layout Drawing Ref. CL_01 Rev. N)

To confirm, the proposed change will not result in any changes to the approved elevation. As a result of a building being slightly setback from the building line of the rest of the development, it is possible there will be a slight reduction of scale when entering the Site, however this is not seen to have any adverse impact on the function or occupation of the Consented Development.

Consented Plan Title and Reference	Proposed Plan Title and Reference
Proposed Site Layout Drawing Ref. 2203-PL-03 Rev. K	Proposed Site Layout Drawing Ref. CL_01 Rev. N
Landscape Plan Drawing Ref. 4986 04	Landscape Plan Drawing Ref. 4986 04 Rev. A

Basis of Determination

Relevant Legislation

Section 73 of the Town and Country Planning Act 1990 (as amended) allows a local planning authority in England to make a change to any planning permission by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission. This includes the amendment or removal of a condition.

The Planning Practice Guidance (“PPG”) para 2no. states that an amendment would be considered a ‘minor material amendment’, if its scale and nature results in a development which would not be substantially different from the one that has been approved.

Appraisal

When considered in the context of the approved scheme, it is clear the changes will have very little impact on the layout, appearance or overall acceptability of the consented scheme.

Previously Discharged Planning Conditions (Ref: 3/2024/0115)

Should the S73 application be approved, it is understood that a new decision notice will be issued for this consent that will sit alongside the original approval. In line with the NPPG para 15no. we understand that the new decision notice would include all relevant planning conditions but amend or remove those which have already been addressed and discharged.

The following conditions have previously been approved in respect of the Consented Scheme. As such it is requested that the above conditions are updated accordingly in any decision for this S73 application.

- Condition 7 - discharged by RVBC under permission ref. 3/2022/0537 (the Oaktree consent”) application ref: 3/2024/0061.
- Condition 8 - partially discharged by RVBC under application ref. 3/2024/1033 on 17 February 2025*
- Condition 9 - partially discharged by under application ref. 3/2024/1033 on 17 February 2025*
- Condition 10 - discharged by RVBC under Oaktree consent, application ref: 3/3034/0061
- Condition 11 - partially discharged by under application ref. 3/2024/1033 on 17 February 2025*
- Condition 12 – partially discharged by RVBC under application ref. 3/2025/0193 on 9 May 2025*
- Condition 13 – discharged by RVBC under Oaktree application ref: 3/2024/0061
- Condition 16 – discharged by RVBC under Oaktree application ref: 3/2024/0061

** will be fully discharged once the works have been implemented in line with the approved details.*

If it is helpful, we would be happy to provide a schedule of re-worded conditions to assist you in preparing the new decision notice.

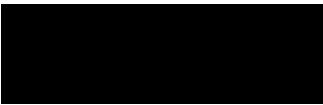
Conclusions

To conclude, the changes proposed will not fundamentally change the scheme as consented and as described within the application approved in May 2024 (as amended) nor as described in the associated description of development.

With the above in mind, it is clear the changes proposed do not result in a development which would be substantially different to the development that was consented and would not compromise the design of the building or the amenity of the surrounding residents. It is therefore concluded that the changes sought by this application can be considered in accordance with the provisions set out in Section 73 of the Town and Country Planning Act 1990 and are acceptable in planning policy terms.

We trust the submitted information is sufficient to enable validation of this pre-application request; should you have any questions, or require any further information, please do not hesitate to contact me by email.

Yours sincerely,



Kelly Paddick
Company Director



Appendix 1: Updated Plan List

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 1:1250 Location Plan 2203-PL-01A Amended 5th August 2022
- 1:500 Block Plan 2203-PL-02A Amended 5th August, 2022
- 1:200 Proposed Site Layout Drawing Ref. CL_01 Rev. N Amended [DATE OF CONSENT ONCE APPROVED]
- 1:100 Proposed Street Scenes 2203-PL-04F Amended 21st March, 2023
- 1:100 The Birkdale Plot 5 2203-PL-20B Amended 21st March, 2023
- 1:100 The Wentworth Plot 3 2118-PL-50B Amended 21st March, 2023
- 1:100 Dormer Bungalow Plot 8 (attached garage) 2203-PL-40D Amended 21st March, 2023
- 1:100 The Woburn Plot 7 2203-PL-10 submitted 1st June, 2022
- 1:100 The Birkdale (Handed) Plots 2, 4 & 6 2203-PL-30 submitted 1st June, 2022
- 1:100 The Woburn Plot 1 2203-PL-10B Amended 21st March, 2023
- 1:100 Detached Garage to Plots 1, 3 and 7 2203-PL-06
- 1:20 Boundary Fencing and Walls 2203-PL-05A Amended 21st March, 2023
- 1:250 Topographical Land Survey OD.TS.08A
- 1:200 Landscape Plan 4986 04 Rev. A Amended [DATE OF CONSENT ONCE APPROVED]
- 1:500 Tree Constraints Plan 4986 01 X submitted 1st June, 2022
- 1:100 Proposed Visibility Splays 2203-PL-07B Amended 5th August, 2022
- 1:250 Swept Path Analysis 22009/101/1 submitted 5th August 2022