


Report to be read in conjunction with the Decision Notice.

Application Ref:	3/2021/0010	 <p>Ribble Valley Borough Council www.ribblevalley.gov.uk</p>
Date Inspected:	N/A	
Officer:	SK (completed by NH)	
DELEGATED ITEM FILE REPORT:		NON MATERIAL AMENDMENT

Application Description:	Variation of Condition of planning application 3/2018/0975. Condition 1 - Proposed plot substitutions and house types.
Site Address/Location:	Land east of Chipping Lane Longridge

CONSULTATIONS:	Parish/Town Council
Longridge Town Council have no comments to make	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
Lancashire County Council no objections	

CONSULTATIONS:	Additional Representations.
<p>1 letter has been received setting out the following comments:</p> <ul style="list-style-type: none"> The Landscape Plan allows for scattered trees to be planted in the transition areas with existing houses (shown as number 7 on the plan). From the examples shown on the plan these trees are of a height that, when mature, will significantly obscure the view from existing properties. In these area planting should be restricted to low growing shrubs. The proposed emergency access onto Redwood Drive has only one demountable bollard which will be insufficient to prevent motorcycles using it. An alternative arrangement should be devised to prevent this. The existing mature tree at the entrance to this access should be maintained. Serious concerns regarding the drainage on this site and understand there are unresolved issues with the Flood authority -should be resolved prior to any work being commenced. 	

RELEVANT POLICIES:
<p>Ribble Valley Core Strategy Policy DMG1 – General Considerations</p> <p>National Planning Policy Framework</p> <p>Planning History 3/2019/0601- Discharge of conditions 2 (materials) and 4 (public open space) from planning permission 3/2018/0975. Condition discharged 3/2021/0009- Discharge of Conditions of planning application 3/2018/0975. Condition 5 - Emergency Link Road. Condition discharged</p>
ASSESSMENT OF PROPOSED DEVELOPMENT:
Nature of Non-Material Amendment:

Consent is sought for a non-material amendment to application 3/2018/0975 which granted reserved matters consent (layout, scale, appearance, and landscaping) for Phases 2 and 3 of the site. This included the erection of 193 dwellings, pursuant to outline planning permission 3/2017/0232

The amendments sought are as follows:

- 33 no. approved Maidstone house type would change to the Ellerton type. Both are 830 sq.ft so no change in floorspace;
- 22 no. approved Kenley house types would change to Denford house type. The latter is 10 sq.ft larger than the former (624 sq.ft v 614 sq.ft);
- 9 no. approved Derwent type would change to Denby type (see attached): the new type is 39 sq.ft smaller (881sq.ft v 920 sq.ft).

A total of 64 plots in Phases 2 & 3 (no changes to Phase 1) will be subject to plot substitution as set out above.

This application is submitted under Section 73 of the Town and Country Planning Act which permits a developer to apply for planning permission to carry out development already authorised by an extant planning permission without complying with one or more of the conditions of that permission. If planning permission is granted, the developer obtains a new planning permission for the same development as before, but subject to different conditions. Section 73 cannot be used to make fundamental alterations to the description of the scheme and relates to non-material amendments to the scheme.

There is no statutory definition of 'non-material'. This is because 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.

In this case the changes proposed include:

- 1) Replacing the Maidstone house type (a two storey three bedroom semi-detached dwelling) with the Ellerton house type (a two storey three bedroom semi-detached dwelling)
- 2) Replacing the Kenley house type (a two storey two bedroom terraced dwelling) with the Denford house type (a two storey two bedroom terraced dwelling). These are part of the affordable housing provision on site.
- 3) Replacing the Derwent house type (a two storey, four bedroom detached dwelling) with the Denby house type (a two storey, four bedroom detached dwelling)

Externally the house types now proposed will reflect the house types already approved on the plots affected. The proposed changes to the house types in this case would not amount to a development that is materially different, in terms of external appearance, than that of the original consent and it is considered that the proposed amendments would in this case be non-material.

Observations/Assessment/Conclusion:

The non-material amendment should be granted. The concerns raised are noted however the principle of the development has already been established and this application purely proposes minor amendments to the approved scheme.

RECOMMENDATION:	Approve non-material amendment
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CONDITIONS

1. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- 459-LP0-4 - Location Plan
- 459-PL04 Rev: 10 - Planning Layout
- 459-ML04 Rev: 08 - Materials Layout

- 459-BT04 Rev: 08 - Boundary Treatments Layout
- 459-BTD02 - Boundary Treatment Details
- 459-SH04 Rev: 07 - Storey Heights Layout
- 459-RS04 Rev: 07 - Refuse Strategy
- 459-HL04 Rev: 07 - Hard Landscaping Layout
- 459-SS05 Rev: 2 - Streetscapes
- 459-ED-02 - Proposed Finished Floor Levels
- 459-ED-04 - Cross Sections
- BBLD 00CE-01 Bedale
- BALD 00CD-01 Alderney
- BHLN 00CD-01 Halton
- BKNL-00CE-01 Kenley
- BKIS 00CE-01 Kingsville
- BMMS 00CE-01 Moresby
- BTHO-00CD-01 Thornton
- BWIE 00CD-01 Windermere
- HBC2 1BRE/02 Belmont
- TBC-01 Brandon
- BLLE 00CE Rev A- Ellerton (End- Gable)
- BLLE 00CI Rev A- Ellerton (Mid)
- BLLE 5SRE- Ellerton (End- Gable)
- BLLE 5BRE- Ellerton (End- Gable)
- BDNF 00CI Rev A- Denford Classic (Mid)
- BDNF 00CE Rev A- Denford Classic (End)
- BDNF 5SRE- Denford (End)
- BDNF 5BRE- Denford (End)
- BDNF 5SRI- Denford (Mid)
- BDNF 5BRI- Denford (Mid)
- BDBY 5SRD- Denby (Det-Gable)
- BDBY 56CD- Denby (Det-Gable)
- 11319_R10_AMS_CG_JW_171018 Arb Method Statement
- 11319_R05_GCN Survey Report_LRD_JW_151018
- 11319_R06a_Badger Survey Report_LRD_MM_171018
- BLUT 00CD-01 Lutterworth
- BALD 5BRD-01 Alderney Brick & Render
- BBLD 5BRE-01 Bedale Brick & Render
- TBC-01 Brandon Brick & Render
- BLUT 5BRE-01 Lutterworth Brick & Render
- BMMS 5BRD-01 Moresby Brick & Render
- BALD MSRD-01 Alderney Stone & Render
- BKIS 5SRE-01 Kingsville Stone & Render
- BLUT 5SRE-01 Lutterworth Stone & Render
- BMMS 5SRD-01 Moresby Stone & Render
- BWIE 5SRD-01 Windermere Stone and Render
- 11319/P73A Landscape Strategy Plan II/RP
- 11319/P74 Rev A Sheets 1-3
- 11319/P74 Rev A Sheets 4-6
- 11319/P75 LEAP Plan
- 11319/P76 Trim Trail Plan
- 11319 RO8A Landscape Management Plan
- 11319 R11B Landscape Statement
- Hard Surfacing Plan - 459/ED/107 Rev: B

- Road Construction Details - 459/ED/113 Rev: A
- Signage and Lining - 459/ED/136
- 459-PH04- Phasing Plan
- 459-AH04 Rev 08- Affordable Housing Layout

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

2. The approved materials (plan ref: 459-ML04 Rev: 08 - Materials Layout and 459-HL04 Rev: 07 - Hard Landscaping Layout) shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

3. The new estate roads shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level prior to the commencement of any development within the phase(s) hereby approved.

REASON: To ensure that satisfactory vehicular access is provided to the site before the development hereby approved commences.

4. The provision and equipping of usable public open space, cycleways and play areas shall be carried out in strict accordance with the approved Phasing Plan (ref: 459-PH04- Phasing Plan). All public open space, play areas, trim trail items, cycleways and other open space detailed within each construction phase shall be constructed and made available for use before the next phase is commenced.

REASON: To ensure the adequate provision for public open space and play areas is brought forward in an appropriate phased manner to serve occupiers/residents of the development.

5. The 'Emergency Link' access to Redwood Drive shall be constructed and implemented in accordance with the following approved plans:

Hard Surfacing Plan - 459/ED/107 Rev: B
 Road Construction Details - 459/ED/113 Rev: A
 Signage and Lining - 459/ED/136

The 'Emergency Link' shall be only be used for the purposes of emergency vehicles and pedestrian access.

REASON: To ensure the adequate provision for access by emergency vehicles.

6. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle upon the street scene and limits parking upon the highway.

