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Mr. M Phillips
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Date: 20 September 2024
Our ref: 63853/03/SPM/HR/30654579v1
Your ref: PP-13425618

Dear Matthew

Land at Gatewen Road: Application for a Non-Material Amendment to the Reserved Matters Approval at Gatewen Road, New Broughton (ref. P/2021/0955)

On behalf of Bellway Homes Limited (North-West Division) [Bellway], Lichfields is pleased to submit an application for a Non-Material Amendment [NMA] to the wording of Conditions 1 and 3 attached to the reserved matters approval (ref. P/2021/0955) [the RMA] at Land north of Gatewen Road, New Broughton, Wrexham [the Site].

The RMA was granted in October 2022 for 112 dwellings, open space, landscaping, sustainable drainage, and other related infrastructure pursuant to the outline planning permission (ref. P/2018/0674) [the OPP]. The OPP was granted at appeal in February 2021. Access from Gatewen Road was approved at outline stage.

This application was submitted via the Planning Portal (ref. PP-13425618) on 20 September 2024 and comprises the following documents:

- Completed Application Forms;
- Planning Layout (ref. BHNW130 PL01 rev. K);
- Boundary Treatments Plan (ref. BHNW130 BT01 rev. G);
- Hard Surfacing Layout (ref. BHNW130 HS01 rev. F);
- Materials Layout (ref. BHNW130 ML01 rev. H);
- Land off Gatewen Road Proposed Housetype Range dated September 2024;
- Soft Landscape Plan Page 2 of 6 (ref. 1154-029-ENZ-XX-00-DR-L-45-102-PL04);
- Soft Landscape Plan Page 3 of 6 (ref. 1154-029-ENZ-XX-00-DR-L-45-103-PL04);
- Soft Landscape Plan page 4 of 6 (ref. 1154-029-ENZ-XX-00-DR-L-45-104-PL04);

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- Plant Schedule (ref. 1154.029-ENZ-00-XX-SH-L-45-401-PL04); and,
- General Arrangement Plan (ref. 1154-029-ENZ-XX-01-DR-L-00-101 rev. PL04).

The requisite application fee of £115 was paid online via the Planning Portal at the time of submission.

Proposed Non-Material Amendments

This application seeks non-material amendments to the wording of Conditions 1 and 3 to reflect minor changes to the site layout at Gatewen Road, Wrexham. The proposed changes comprise:

- The removal of the previously shown foul pump station as a result of Bellway securing an easement to facilitate a gravity based drainage solution;
- Amendments to the balconies on the apartment blocks to incorporate Juliette balustrading; and,
- Replacement of the Spinner Housetype to the Wheelwright Housetype.

The proposed non-material amendments to the wording of Conditions 1 and 3 are shown below. Suggested deletions are shown as strikethroughs, and new wording shown in **bold**.

Condition 1

The development shall be carried out in strict accordance with the following:

i. Drawing no. PL01 ~~Revision F~~ ***Revision K*** *Planning Layout*

ii. Drawing no. WM01 Revision C Waste Management Layout

iii. Drawing no. ML01 ~~Revision D~~ ***Revision H*** *Materials Layout*

iv. Drawing no. HS01 ~~Revision C~~ ***Revision F*** *Hard Surfacing Layout*

v. Drawing no. BT01 ~~Revision D~~ ***Revision G*** *Boundary Treatments Plan*

vi. ENX01.XX.SH.L45.401 Revision PL03 Soft Landscape Schedule

vii. 1154-029-ENZ-XX-01-DR-L00-101 ~~Revision PL03~~ ***Revision PL04*** *General Arrangement Plan;*

viii. Drawing no. 1154-029-ENZ-XX-01-DR-L-45-102 ~~Revision PL03~~ ***Revision PL04*** *Soft Landscape Plan pages 1 of 6, 2 of 6, 3 of 6, 4 of 6, 5 of 6 and 6 of 6.*

ix. 497E900 Revision C External Works Layout

x. Arboricultural Method Statement drawing no. P.1511.21.02 Revision B.

Condition 3

No dwelling shall be occupied until it has been provided with a parking area in accordance with details down on drawing no. PL01 ~~Revision F~~ ***Revision K*** *Planning Layout. The parking area for each dwelling shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and of vehicles at all times.*

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Consideration of Non-Material Amendments

Section 96a of the Town and Country Planning Act 1990 permits a Local Planning Authority to make changes to any planning permissions provided it is satisfied that the change is not material, including the power to alter existing conditions. There is no statutory definition of what constitutes 'non-material' so it is therefore left to the authority to consider the nature and scale of the proposed amendments in the context of the overarching planning permission.

It is considered that the proposed amendments are non-material when considered in the context of the approved development because:

- The proposed amendments do not change the description of the development at the site, including the total number of dwellings.
- The proposed amendments are minor in nature and relate only to changes to the balconies of the apartment block, the removal of a pump station and the substitution of a housetype on four plots of a total of 112.
- The Spinner housetype is being substituted for the Wheelwright housetype. There is no difference between the external envelopes of the two housetypes, with the changes relating solely to the internal configuration.
- The proposed changes will not be readily discernible from the consented scheme. It is therefore considered that there will be no implications on the surrounding area in terms of visual impact or residential amenity.
- The proposed changes do not conflict with planning policy or any of the conditions attached to either the reserved matters approval or the outline planning permission.

Concluding Remarks

This application is made pursuant to Section 96a of the Town and Country Planning Act 1990 and proposes non-material amendments to the wording of Conditions 1 and 3 attached to the reserved matters approval (ref. P/2021/0955) at Gatewen Road, Wrexham. For the reasons set out above, the amendments are considered to be clearly non-material.

We trust that the information provided is sufficient to enable you to validate the application and progress it towards determination at the earliest opportunity. However, should you require any further information, please do not hesitate to contact me, or my colleague Imogen Zulver, at this office.

Yours faithfully



Harry Russell
Planner