Castle Green

Mr M. Phillips
Wrexham County Borough Council
Planning Service
16 Lord Street
Wrexham
LL11 1LG

3rd December 2024

Submitted via Planning Applications Wales
Planning Ref: PP-13609851

Dear Matthew,

LAND TO THE NORTH AND SOUTH OF LANE FARM, ROSSETT ROAD, TREVALYN, ROSSETT, WREXHAM, LL12 0DS.
Non-Material Amendment Application to Planning Permission P/2018/0560

On behalf of Castle Green Homes, please find enclosed an application for a Non-Material Amendment under Section 96A of the Town and Country Planning Act and concerning land to the north and south of Lane Farm, Rossett Road, Rossett.

The application seeks to vary the description of development as stated on the decision notice dated 14th February 2020 to remove reference to an extension to a community parking facility (in association with the northern parcel) which was to be accessed via an existing car park on Trevalyn Hall View.

Outline planning permission (Ref: P/2018/0560) was granted on 14th February 2020 for residential development of two parcels of land (for up to 61no. dwellings: northern parcel and up to 71no. dwellings: southern parcel) extension to community parking facility (in association with the northern parcel) with associated means of access and all other matters reserved, indicative provision made for pedestrian crossing, pedestrian linkages, public open spaces, landscaping and affordable housing.

Reserved Matters consent pursuant to the Outline Planning Permission was granted on 7th February 2022 (Application Ref: P/2021/0110).

Castle Green Homes Ltd
Unit 20, St. Asaph Business Park, St. Asaph, LL17 0LJ
T 01745 536677 **E** info@castlegreenhomes.uk **W** castlegreenhomes.uk
Registered in England No 1932141

A non-material amendment was approved in January 2024 for the addition of a surface water pump station and SUDs Pond (Ref: P/2023/0853) with associated landscape revisions to the previously approved layout with development commencing in late January 2024.

Further on-material amendments were approved in January 2024 (Ref: P/2024/0023) and April 2024 (P/2024/0144) respectively to vary the wording of condition 2 to permit a lawful commencement of development and to make some non-material amendments to the approved scheme with the development now under construction.

Separate minor material amendment applications have been submitted to Wrexham County Borough Council seeking amendments to the Outline and Reserved Matters consent to seek removal of the car park from approved plans (Refs: P/2024/1291 and P/2024/1074) and are awaiting determination. This NMA application seeks to ensure consistency between these applications and the description of development listed on the Outline Planning Permission.

This Application

This NMA application seeks to vary the description of the development as defined on the outline decision notice to remove reference to the community parking facility.

The removal of the approved community car park from the outline planning permission follows discussions between Castle Green Homes and relevant colleagues at Wrexham County Borough Council as landowner of part of that land required to deliver the car park; the Council confirming that they do not support the construction of the car park and therefore withholding their consent to implement these approved works.

The Officers Report for Reserved Matters application P/2021/0110 application dated 7th February 2022 confirms that the outline planning permission does not include any conditions requiring the proposed parking area be provided, therefore the applicants (Castle Green Homes) are under no obligations to undertake the above works...confirming that should approval to undertake the works not be forthcoming, any subsequent amendments to the layout of the site in Phase 1 would need to be subject to separate application.

It is therefore proposed that the application description be varied as follows:

> *"Outline planning application for residential development of two parcels of land (northern parcel for up to 61 no. Dwellings, southern parcel for up to 71 no. Dwellings), with associated means of access and all other matters reserved with*

indicative provision made for pedestrian crossing, pedestrian linkages, public open space and affordable housing."

The application comprises the following information: -

- This cover letter;
- Application forms and certificates;
- Site Location Plan

Non-Material Amendment

Planning Practice Guidance states that there is no definition of 'non-material'- an amendment that is non-material in one context may be material in another, dependent on the context of the overall scheme (Paragraph 2.4 of Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission (July 2024)), also stating that the responsibility for determining whether a proposed change is non-material lies with the local planning authority.

In the context of the presently approved scheme which grants consent for 132 new dwellings, it is considered that the proposed amendment to omit the community car park are not material in scale and are therefore suitable to be dealt with as a non-material amendment under Section 96A of the Town and Country Planning Act.

The planning application fee of £115.00 has been paid via the Planning Portal (PP- 13609851). I can confirm that the appropriate notice has been served on the landowner providing confirmation that this application has been submitted for determination.

We trust that this information is acceptable and look forward to validation and determination of the application in due course.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

[redacted]

Sean McBride
Planning Manager
On behalf of Castle Green Homes

Tel: 07815932292
Email: sean.mcbride@castlegreenhomes.uk