

24th March 2021

OUR REF: 147/CC

Knowsley Council

Directorate of Place

Municipal Buildings

Huyton L36 9UX

Via -The Planning Portal only

Dear Sir/Madam,

**SUBMISSION: NON-MATERIAL AMENDMENT (NMA) TO CONDITION 1 AND SCHEDULE 1 OF
APPROVAL REFERENCE 17/00209/REM**

FORMER KNOWSLEY ROBY COMMUNITY COLLEGE, RUPERT ROAD, KNOWSLEY L36 9TD

PLANNING PORTAL REFERENCE: PP-09666224

I am instructed on behalf of Bellway Homes Ltd (North West Division) to formally submit a non-material amendment (NMA) submission to update the Planting Plan. The basis for this submission relates to the need by the applicant to undertake a non-material change to some of the public open space at the front of the site to replace the grass with mulch. This change was instigated because the grass was dying off under the tree canopy, as it was not receiving natural sunlight.

The following documents are provided to support this submission:

- Application Form;
- Covering letter; and
- Planting Plan EA/5325/100/02 rev J (this supersedes EA/5325/100/02 rev f).

An amendment to condition 1, schedule 1 is sought to update the approved Planting Plan.

It is also worthy of note that the non-material amendment sought is also inline with the approach of planning condition 7, the ethos of which requires the replacement of planting when diseased or damaged.

The Location Plan BHNW060 LP01 is resubmitted for site location clarification only.

The planning fee of £234 (plus £25 admin fee) has been paid directly via The Planning Portal.

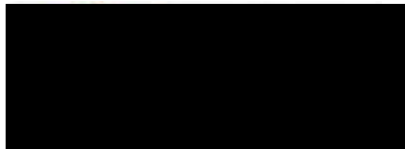
As you will be aware in the judgement of R (on the application of Fulford Parish Council) v City of York the Court of Appeal confirmed that the statutory power conferred by section 96A of the Town and Country Planning Act to make non-material changes to a planning permission includes the power to make non-material changes to conditional approvals or reserved matters.

The discrepancy still exists within The Planning Portal relevant NMA form however, as at the question 'What was the original application type?', there is no option to list a reserved matters submission type, I have therefore had to list this as 'outline with some reserved matters' in order to submit.

On this basis I have submitted via The Planning Portal but I will need to wait until the application is transferred to the Authority, it will then allow me to download the final planning application form, I will then be able to amend the form myself and 're PDF' the form listing the original 'application' correctly as a 'reserved matters' and enclose it as an attachment/uploaded document via The Planning Portal to the NMA submission.

I trust the information submitted is sufficient for your purposes. Should you have any queries please do not hesitate to get in touch. I look forward to hearing in any event and working with the authority towards a swift determination.

Yours faithfully,



CAROL CLARKE

Planning Director

CC D Tomlinson (by email)

Enc As above