



Planning Services
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

2 February 2026

Dear Sir/Madam,

THE MARTLETS, BURGESS HILL - NON-MATERIAL AMENDMENT (S96A) TO PLANNING PERMISSION DM/25/1327

On behalf of New River Retail (GP3) Ltd, we enclose an application that seeks a non-material amendment relating to planning permission ref. DM/25/1327 under Section 96a of the Town and Country Planning Act 1990. This NMA application seeks minor non-material amendments to the approved drawings which have been identified following a review of the plans with contractors. The revised alterations will help the deliverability of the scheme.

The requisite application fee of £293.00 (plus £70.00 service charge) has been paid to Mid Sussex District Council via Planning Portal.

Background

Full planning permission (LPA ref. DM/19/3331) was originally granted by Mid Sussex District Council on 2 July 2021 for:

“Demolition of multi-storey car park, public library and offices. The conversion of existing buildings and erection of new buildings to provide, additional retail floor space (Classes A1 and A3), residential units (Class C3) with undercroft car parking, a multi-screen cinema (Class D2), bowling alley (Class D2), gymnasium (Class D2), a hotel (Class C1), the reconfiguration and expansion of existing public car park, amendments to the site access, public realm improvements including landscaping, and other associated works (revision of DM/15/3858 and DM/18/1580). (Amended plans received 19th June including one additional residential units, design amends and additional transport information)”

A S.73 amendment application was approved on 17 September 2025 varying conditions 6, 21 and 29 of the planning permission under LPA ref. DM/25/1327, this is the current planning permission that is being implemented. The original permission was lawfully implemented prior to the three year expiry period as confirmed by the Certificate of Lawfulness granted under DM/24/1465.

Non-Material Amendment

This application seeks to the approved drawings as set out in the table below. In addition to the replacement drawings a set of plans highlighting the proposed non-material changes has been provided for ease. The amendments sought can be summarised as:

- Minor alterations to the footprint of the proposed leisure block (Block B) required to avoid the need to divert a mains connection.
- The setting in of the frontage of Unit 01 (former New Look building) and alteration to replace first floor glazing with metal rainscreen cladding.
- Revisions to the proposed car park layout on the ground floor to increase the number of public parking spaces creating an additional 10 proposed spaces in the parking area to offset the proposed changes to the existing surface car-park that would require third-party land.
- Alterations to the proposed public realm outside Block A1.
- Reduction in the height of Block A1 to reduce the double-height ground floor frontage and amendments to the external treatments including a reduced parapet.
- Further alterations to the proposed hotel Block A1 to include additional room at the rear.

Drawing Name	Approved Drawing	Revised Drawing
Landscaping Details	0152-LDA-00-XX-M2-LA-1001 - P02	0152-LDA-00-XX-M2-LA-1001 - P03
Proposed Site Block Plan	BHL-CWA-ZZ-00-DR-A-0301 - P02	BHL-CWA-ZZ-ZZ-DR-A-0301 - P03
Proposed Plan Level 00	BHL-CWA-ZZ-00-DR-A-0310 - P04	BHL-CWA-ZZ-00-DR-A-0310 - P05
Proposed Plan Level 01	BHL-CWA-ZZ-01-DR-A-0311 - P05	BHL-CWA-ZZ-01-DR-A-0311 - P06
Proposed Plan Level 02	BHL-CWA-ZZ-02-DR-A-0312 - P05	BHL-CWA-ZZ-02-DR-A-0312 - P06
Proposed Plan Level 03	BHL-CWA-ZZ-03-DR-A-0313 - P04	BHL-CWA-ZZ-03-DR-A-0313 - P05
Proposed Plan Level 04	BHL-CWA-ZZ-04-DR-A-0314 - P04	BHL-CWA-ZZ-04-DR-A-0314 - P05
Proposed Plan Level 05	BHL-CWA-ZZ-05-DR-A-0315 - P04	BHL-CWA-ZZ-05-DR-A-0315 - P05
Proposed Plan Level 06	BHL-CWA-ZZ-06-DR-A-0316 - P04	BHL-CWA-ZZ-06-DR-A-0316 - P05
Proposed Plan Level 07	BHL-CWA-ZZ-07-DR-A-0317 - P04	BHL-CWA-ZZ-07-DR-A-0317 - P05
Proposed Plan Level 08	BHL-CWA-ZZ-08-DR-A-0318 - P04	BHL-CWA-ZZ-08-DR-A-0318 - P05
Proposed Plan Level 09	BHL-CWA-ZZ-09-DR-A-0319 - P04	BHL-CWA-ZZ-09-DR-A-0319 - P05
Proposed Plan Level 10	BHL-CWA-ZZ-10-DR-A-0320 - P04	BHL-CWA-ZZ-10-DR-A-0320 - P05
Proposed Plan Level 11	BHL-CWA-ZZ-11-DR-A-0321 - P04	BHL-CWA-ZZ-11-DR-A-0321 - P05
Proposed Plan Level 12	BHL-CWA-ZZ-12-DR-A-0322 - P04	BHL-CWA-ZZ-12-DR-A-0322 - P05
Block A1 + A2 Level 01	BHL-CWA-ZZ-01-DR-A-0324 - P04	BHL-CWA-ZZ-01-DR-A-0324 - P05

Drawing Name	Approved Drawing	Revised Drawing
Block A1 + A2 Level 02	BHL-CWA-ZZ-02-DR-A-0325 - P02	BHL-CWA-ZZ-02-DR-A-0325 - P02
Block A1 + A2 Level 03	BHL-CWA-ZZ-03-DR-A-0326 - P01	BHL-CWA-ZZ-03-DR-A-0326 - P02
Block A1 + A2 Level 04	BHL-CWA-ZZ-04-DR-A-0327 - P01	BHL-CWA-ZZ-04-DR-A-0327 - P02
Block A1 + A2 Level 05	BHL-CWA-ZZ-05-DR-A-0328 - P01	BHL-CWA-ZZ-05-DR-A-0328 - P02
Block A1 + A2 Level 06	BHL-CWA-ZZ-06-DR-A-0329 - P01	BHL-CWA-ZZ-06-DR-A-0329 - P02
Block A1 + A2 Level 07	BHL-CWA-ZZ-07-DR-A-0330 - P01	BHL-CWA-ZZ-07-DR-A-0330 - P02
Block A1 + A2 Level 08	BHL-CWA-ZZ-08-DR-A-0331 - P01	BHL-CWA-ZZ-08-DR-A-0331 - P02
Block A1 + A2 Level 09	BHL-CWA-ZZ-09-DR-A-0332 - P03	BHL-CWA-ZZ-09-DR-A-0332 - P04
Block A1 + A2 Level 10	BHL-CWA-ZZ-10-DR-A-0333 - P03	BHL-CWA-ZZ-10-DR-A-0333 - P04
Block A1 + A2 Level 11	BHL-CWA-ZZ-11-DR-A-0334 - P03	BHL-CWA-ZZ-11-DR-A-0334 - P03
Block A1 + A2 Level 12	BHL-CWA-ZZ-12-DR-A-0335 - P01	BHL-CWA-ZZ-12-DR-A-0335 - P02
Block B Level 01	BHL-CWA-ZZ-01-DR-A-0336 - P02	BHL-CWA-ZZ-01-DR-A-0336 - P03
Block B Level 02	BHL-CWA-ZZ-02-DR-A-0337 - P02	BHL-CWA-ZZ-02-DR-A-0337 - P03
Block B Level 03	BHL-CWA-ZZ-03-DR-A-0338 - P02	BHL-CWA-ZZ-03-DR-A-0338 - P03
Block A2 Proposed Elevations - Sheet 1	BHL-CWA-ZZ-ZZ-DR-A-0340 - P04	BHL-CWA-ZZ-ZZ-DR-A-0340 - P05
Block B Proposed Elevations	BHL-CWA-ZZ-ZZ-DR-A-0342 - P03	BHL-CWA-ZZ-ZZ-DR-A-0342 - P04
Block A2 Proposed Sections	BHL-CWA-ZZ-ZZ-DR-A-0344 - P02	BHL-CWA-ZZ-ZZ-DR-A-0344 - P03

Planning Considerations

In considering the acceptability of a proposed non-material amendment regard should be had to Section 96A of The Town and Country Planning Act (1990) (as amended), the National Planning Practice Guidance (NPPG - paragraph 002, ref. 17a-002-20140306, dated 6 March 2014) and the National Planning Policy Framework (NPPF) (December 2024).

NPPG guidance on 'Flexible Options for Planning Permissions' states that there is no statutory definition of 'non-material'; because the definition would be dependent on the context of the overall development as approved.

The NPPG states that a local planning authority (LPA) must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act 1990; and that LPA's must have regard to the effect of the change, together with any previous changes made under Section 96A, on the planning permission as originally granted.



Conclusions

Overall, the amendments proposed as part of this NMA application will result in a negligible change to the overall approved scheme and will help facilitate the delivery of this important regeneration project.

We trust the above is clear, however if you require any further information, please do not hesitate to contact us.

Yours faithfully

A solid black rectangular box used to redact the signature of Michael Wood.

Michael Wood