

Mr Julian Walker
Earlswood Homes
Roebuck House
5 Roebuck Close
Reigate
RH2 7ER

TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 96A)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ENGLAND) ORDER 2015

REFERENCE: DM/25/1231

DESCRIPTION: NON MATERIAL AMENDMENT TO APPLICATION DM/24/1139 -
REMOVAL OF CHIMNEYS TO PLOTS 1 AND 4. MINOR
AMENDMENT TO SINGLE STOREY REAR PROJECTION ON
PLOTS 2, 3, 5 AND 6. CORRECTION OF ERROR TO ROOF
DESIGN AS SHOWN FOR PLOT 7.

LOCATION: LAND AT 147 TO 149, COLLEGE LANE, HURSTPIERPOINT,
WEST SUSSEX

DECISION DATE: 23 MAY 2025

CASE OFFICER: JOANNE FISHER - JOANNE.FISHER@MIDSUSSEX.GOV.UK

In pursuance of its powers under the aforementioned Act, the Council hereby notify you that they **REFUSE to approve** the Non-Material Amendment for the above development in accordance with the plans and particulars submitted with your application received on 12 May 2025 for the following reason(s):

1. This application seeks to make a non-material amendment to planning application DM/24/1139 to allow changes to the design of the buildings comprising of the removal of chimneys to plots 1 and 4, the enlargement of the single storey rear projection on plots 2, 3, 5 and 6 and the correction of error to roof design for plot 7.

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. The local planning authority 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.

It is considered that the proposed changes would make a clear and noticeable difference to the design of the approved scheme. For this reason, as the proposed

changes make a material difference to the originally approved scheme, they cannot be approved as a non-material amendment.

Therefore, a planning application would be required to seek consent for these proposed changes.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Please note that the existing planning permission still stands, and that the conditions imposed upon it continue to apply. If you wish to substitute these latest plans in place of the original consent, then a new planning application will be required.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Proposed Site Plan	01497 PL01	A	
Proposed Floor and Elevations Plan	01497 PL02	A	
Proposed Floor and Elevations Plan	01497 PL03	A	
Proposed Floor and Elevations Plan	01497 PL04	A	
Proposed Floor and Elevations Plan	01497 PL05	A	



Ann Biggs
Assistant Director Planning and Sustainable Economy

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