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

REFERENCE: DM/25/0783

**DESCRIPTION: NON-MATERIAL AMENDMENT TO APPLICATION DM/22/0536 :
CONVERSION FROM EXISTING GARAGES AND STUDIO INTO A
DWELLINGHOUSE, TOGETHER WITH THE CONSTRUCTION OF
A DETACHED PAIR OF GARAGES ASSOCIATED WITH THE
DWELLING (RETROSPECTIVE) (AMENDED PLANS AND
DESCRIPTION 14.11.2022) (AMENDED EXISTING AND
PROPOSED FLOOR PLANS AND ELEVATIONS 25/09/2023)**

**LOCATION: MOATLANDS, VOWELS LANE, WEST HOATHLY, EAST
GRINSTEAD**

DECISION DATE: 4 APR 2025

CASE OFFICER: JOSEPH SWIFT - JOSEPH.SWIFT@MIDSUSSEX.GOV.UK

In pursuance of its powers under the aforementioned Act, the Council hereby notify you that they **APPROVE** the Non-Material Amendment for the above development in accordance with the plans and particulars submitted with your application received on 24 March 2025 for the following reason(s):

1. This application seeks to amend the description of the development that was approved under reference DM/22/0536. The original description was as follows: *Conversion from existing garages and studio into a dwellinghouse, together with the construction of a detached pair of garages associated with the dwelling (Retrospective) (Amended plans and description 14.11.2022) (Amended existing and proposed floor plans and elevations 25/09/2023).*

This application seeks to change this description to read as follows: *Conversion from existing garages and studio into a dwellinghouse, together with the construction of a detached pair of garages associated with the dwelling (Retrospective).*

Within the application form it sets out that the words are superfluous, should not have been included within the description and the drawings were approved by condition 1 and listed on the decision notice.

The power to make a non-material amendment is contained in section 96A of the Town and Country Planning Act 1990. There is no statutory definition of non-material as this will be dependent on the context of the overall scheme. In this case it is considered that the proposed amendment to the description of the original planning application is non-material. The proposed change will make no difference to the permitted scheme itself as the approved drawings are not changing as a result of this application. The amended description properly describes the application.

In light of the above, this non-material amendment application can be approved.

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, except that the plans listed below can be substituted for the originally approved plans.



Ann Biggs
Assistant Director Planning and Sustainable Economy

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