

18 December 2024



Planning and Building
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS



33 Margaret Street
London W1G 0JD
T: +44 (0) 20 7499 8644
savills.com

Dear Sir or Madam,

LAND WEST OF COPTHORNE, COPTHORNE WAY, COPTHORNE WEST SUSSEX

APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION DM/21/1969

On behalf of our client, St Modwen Homes ('the Applicant'), please find enclosed a Section 96A application for a non-material amendment to planning permission DM/21/1969.

The Applicant is seeking an alteration to the details of the hard and soft landscaping approved under Application Ref. DM/21/1969. Accordingly, this application seeks a non-material amendment to the schedule of approved plans set out under Condition 3 (Approved Plans). For context, this existing wording is set out below:

Condition 3: Approved Plans

"The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application."

Reason: For the avoidance of doubt and in the interest of proper planning".

Background

Outline planning permission (13/04127/OUTES) was granted by Mid Sussex District Council (MSDC – the local planning authority) on 25th May 2016 for 500 homes and associated works. The approved description of development was as follows:

"Outline planning application for up to 500 homes, a primary school and doctors surgery, up to 15,500sqm employment floorspace (b1c light industry/b8 storage and distribution), public open space, allotments, associated landscaping, infrastructure (including sub stations and pumping station) and pedestrian and cycle access, with a principal vehicular access from the a264 and a secondary vehicular access from Shipley bridge lane with all matters reserved except for access. (further highway and transport information received 7th may 2014.)"

A Reserved Matters application was approved by the MSDC ref: DM/21/1969 on 1 December 2021 for the approval of landscaping at the site. The approved description of development was as follows:

"Reserved matters application for the approval of appearance, landscaping, layout and scale, following outline application 13/04127/OUTES."

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Proposed Amendments

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a non-material amendment to be made to an existing planning permission via a simple application procedure with a quick decision time.

Within the guidance set out in the Government's Planning Practice Guidance, no statutory definition of what constitutes a 'non-material amendment' is given. Instead, the guidance states that the nature of the amendment will depend on the context of the overall scheme, as an amendment that is non-material in one context may be material in another.

This application seeks an amendment to Condition 3 of the approved application DM/21/1969 to facilitate the revised hard and soft landscape specification the Applicant would like to develop on site. This submission includes a range of updated plans, some of which will supersede the current plans and some that will comprise new additional plans. This is set out in the table below:

Approved / Current Plans	Proposed / Updated Plans
• 200710-OEL-23-XX-DR-L-0510	• 200710-OEL-23-XX-DR-L-0510 Hard landscape plan. T04
• 200710-OEL-23-XX-DR-L-0511	• 200710-OEL-23-XX-DR-L-0511 Hard landscape plan. T04
• 200710-OEL-23-XX-DR-L-0513	• 200710-OEL-23-XX-DR-L-0513 Hard landscape plan T04
• 200710-OEL-23-XX-DR-L-0514	• 200710-OEL-23-XX-DR-L-0514 Hard landscape plan T04
	• 200710-OEL-23-XX-DR-L-0515 Soft landscape plan. T05
	• 200710-OEL-23-XX-DR-L-0516 Soft landscape plan. T05
	• 200710-OEL-23-XX-DR-L-0518 Soft landscape plan T05
	• 200710-OEL-23-XX-DR-L-0519 Soft landscape plan. T05

Summary

The application has been submitted on the planning portal and comprises the following documents:

- Covering Letter, prepared by Savills;
- Application Form, prepared by Savills; and
- Soft and Hard Landscaping Plans, prepared by Op-en.

I trust the enclosed is sufficient and I look forward to receiving prompt confirmation that the application has been validated. In the meantime, please do not hesitate to contact either myself or my colleague Eve Johnson-Jones (eve.johnsonjones@savills.com) of these offices, if you have any queries or would like to discuss further.

