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

REFERENCE: DM/25/0740

DESCRIPTION: NON MATERIAL AMENDMENT TO DM/23/0747 TO AMEND THE DESCRIPTION TO INCLUDE COMMUNITY FACILITIES WITHIN USE CLASS D1, COMMUNITY BUILDING 2 AS A STAND-ALONE BUILDING AND COMMUNITY BUILDING 1 AS EITHER AS A STAND-ALONE OR MIXED-USE BUILDING.

LOCATION: BURGESS HILL NORTHERN ARC, LAND N AND NW OF BURGESS HILL, BETWEEN BEDELANDS NATURE, RESERVE IN THE EAST AND, GODDARD'S GREEN WASTE WATER TREATMENT WORKS IN THE WEST, ,

DECISION DATE: 29 MAY 2026

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 19 March 2025 for the following reason(s):

1. This application seeks to amend the description of the development, the original description as approved under DM/18/5114 was as follows:

'Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes,

means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.'

This application has been subject to two S73 applications DM/21/3279 and DM/23/0747 and the proposal is seeking to amend the description to read as:

'Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and community facilities within Use Class D1, Community building 2 as a stand-alone building and Community building 1 as either a stand-alone or mixed use building), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works.'

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. The proposed change when taken in context of the scale of the wider development is considered to be non-material, it will provide flexibility in the provision of community building 2 and will make no material difference to the outline permitted scheme itself.

In light of the above, this non-material amendment application to DM/18/5114 (as amended by DM/23/0747) 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.



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

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