

Earlswood Homes
Huw James
ECE Planning
64-68 Brighton Road
Worthing
BN11 2EN

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

REFERENCE: DM/26/1226

DESCRIPTION: NON MATERIAL AMENDMENT TO CONDITION 5 (DRAINAGE) OF APPLICATION DM/23/0926

LOCATION: SITE OF LITTLE WINTON, KEYMER ROAD, BURGESS HILL, WEST SUSSEX

DECISION DATE: 20 MAY 2026

**CASE OFFICER: KATHERINE WILLIAMS -
KATHERINE.WILLIAMS@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 14 May 2026 for the following reason(s):

1. This application seeks to amend the wording of condition 5 approved under reference DM/23/0926. The original wording of the condition was as follows:

The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the District Plan (2014 - 2031).

This application seeks to change the wording of this condition to read as follows:

The development hereby permitted, other than demolition, shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements and Policy DP41 of the District Plan (2014 - 2031).

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 wording of condition 5 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 wording of the condition does not alter the technical information requirements for the condition.

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.

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
Not applicable			



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

PENONMZ

