

Vistry Homes
Chris Barker
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Worthing
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TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 96A)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ENGLAND) ORDER 2015

REFERENCE: DM/26/0219

DESCRIPTION: NON MATERIAL AMENDMENT TO PLANNING APPLICATION -
TO SEEK CONSENT FOR THE OMISSION OF A WINDOW FROM
THE APPROVED DRAWINGS

LOCATION: LAND TO THE SOUTH OF SCAMPS HILL, SCAYNES HILL ROAD,
LINDFIELD, WEST SUSSEX

DECISION DATE: 5 FEB 2026

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 **APPROVE** the Non-Material Amendment for the above development in accordance with the plans and particulars submitted with your application received on 28 January 2026 for the following reason(s):

1. This application seeks to remove a ground floor window to the rear elevation of Flat Block C which was a secondary bedroom window. This is sought to be removed due to a technical conflict that prevents the window being installed in accordance with building and construction requirements due to the window position and balcony structure.

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.

In this case, the proposed change of the removal of one window to block C will not make a material difference to the character of the scheme as originally approved and as such it is considered that the proposed change can therefore be treated as a non-material amendment.

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
Proposed Floor and Elevations Plan	22.1685.5000		29.01.2026



Ann Biggs
Assistant Director Planning and Sustainable Economy

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