

Ms Fern Whiles
Mr James McConnell
McConnell Planning
20 Niagara Avenue
Ealing
W5 4UD

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

REFERENCE: DM/25/3055

DESCRIPTION: NON MATERIAL AMENDMENT TO APPLICATION DM/21/3870 - THE BALCONIES ON BLOCKS 1 AND 2 ARE NO LONGER CANTILEVERED AND HAVE SUPPORTING POSTS. TWO CHIMNEYS HAVE BEEN REMOVED FROM THE REAR ELEVATION OF BLOCK 1. ALL CHIMNEYS HAVE BEEN REMOVED FROM BLOCK 2. THE DESIGN OF THE RECESSED RAIN WATER PIPES THAT WERE NOT DIRECTLY BELOW A PARAPET ON FLAT BLOCKS 3 (SIDE ELEVATION), 4 (FRONT ELEVATION), 5 (FRONT ELEVATION), 6 (FRONT ELEVATION) 7 (SIDE ELEVATION), 8 (SIDE ELEVATION), 9 (SIDE ELEVATION), 10 (FRONT AND REAR ELEVATIONS) AND 11 (FRONT ELEVATION) HAS BEEN AMENDED SO THAT THEY ARE NOW HOUSED IN PROJECTING BRICK PIERS. THE STONE COPING DETAIL ON THE PARAPET ROOF DETAIL OF FLAT BLOCKS 4, 5, 6, 7, 8, 9, 10, 11 AND 12 HAS BEEN CHANGED TO AN ALUMINIUM DETAIL THAT IS ALSO NARROWER IN WIDTH. THE WINDOW DESIGN TO SOME OF THE WINDOWS ON FLAT BLOCKS 3-12 HAS BEEN AMENDED WITH A MULLION ADDED.

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

DECISION DATE: 23 DEC 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 28 November 2025 for the following reason(s):

1. This application seeks a non-material amendment to the approved plans for reserved matters consent, reference DM/21/3870. The proposed changes consist of the following:

- The balconies on blocks 1 and 2 are no longer cantilevered and have supporting posts
- Two chimneys have been removed from the rear elevation of block 1
- All chimneys have been removed from block 2
- The design of the recessed rain water pipes that were not directly below a parapet on flat blocks 3 (side elevation), 4 (front elevation), 5 (front elevation), 6 (front elevation) 7 (side elevation), 8 (side elevation), 9 (side elevation), 10 (front and rear elevations) and 11 (front elevation) has been amended so that they are now housed in projecting brick piers
- The stone coping detail on the parapet roof detail of flat blocks 4, 5, 6, 7, 8, 9, 10, 11 and 12 has been changed to an aluminium detail that is also narrower in width
- The window design to some of the windows on flat blocks 3-12 has been amended with a mullion added.

The PPG advises that 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 changes in this application will not make a material difference to the character of the scheme as originally approved and as such it is considered that the proposed changes that are shown on the plans listed at the foot of this letter can be approved as a non-material amendment to the reserved matters details that were previously approved under reference DM/21/3870.

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 Elevations	022106-NG-B1-E1	C	28.11.2025
Proposed Elevations	022106-NG-B3-E1	C	28.11.2025
Proposed Elevations	022106-NG-B4-E1	C	28.11.2025
Proposed Elevations	022106-NG-B5-E1	C	28.11.2025

Proposed Elevations	022106-NG-B6-E1	C	28.11.2025
Proposed Elevations	022106-NG-B7-E1	C	28.11.2025
Proposed Elevations	022106-NG-B8-E1	C	28.11.2025
Proposed Elevations	022106-NG-B9-E1	C	28.11.2025
Proposed Elevations	022106-NG-B10-E1	C	28.11.2025
Proposed Elevations	022106-NG-B11-E1	C	28.11.2025
Proposed Elevations	022106-NG-B12-E1	C	28.11.2025
Proposed Elevations	022106-VG-B2-E1	C	28.11.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

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