

Mr And Mrs Sharma
Mr Christopher Jones
Hollytree House
Cuckfield Road
Burgess Hill
West Sussex
RH15 8RE

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

REFERENCE: DM/25/1233

DESCRIPTION: NON MATERIAL AMENDMENT TO APPLICATION DM/24/2696 -
TO ADD 1 WINDOW ON THE SIDE (NORTH) ELEVATION

LOCATION: 12 SOUTHWAY, BURGESS HILL, WEST SUSSEX, RH15 9ST

DECISION DATE: 23 JUN 2025

CASE OFFICER: ANDREW WATT - ANDY.WATT@MIDSUSSEX.GOV.UK

In pursuance of its powers under the aforementioned Act, the Council hereby notify you that they **REFUSE to approve** the Non-Material Amendment for the above development in accordance with the plans and particulars submitted with your application received on 12 May 2025 for the following reason(s):

1. This application seeks consent as a non-material amendment for the addition of a first-floor window on the side (north) elevation of a first-floor extension to an existing detached bungalow.

Although the new side window would be rearward of the two first-floor side windows approved under the original consent (DM/24/2696), it would be clearly noticeable from the neighbouring gardens and in the street scene through the gap between the property and the neighbouring dwelling at no. 10. In any case, all other side windows in the first floor were conditioned to be obscure glazed and non-openable below 1.7m in height, necessary to protect the privacy of neighbouring residents. It would not be possible to impose a similar condition through this non-material amendment process.

Therefore it is considered that this alteration cannot be treated as a non-material revision to the original application, and accordingly the applicant will need to apply for planning permission in order to make this change.

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. If you wish to substitute these latest plans in place of the original consent, then a new planning application will be required.

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
Existing and Proposed Roof Plan	090525		15.05.2025
Existing and Proposed Elevations	090525		12.05.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

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