

EMAIL ONLY

Sue Dubberley

susan.dubberley@midsussex.gov.uk

Mocatta House
Trafalgar Place
Brighton
BN1 4DU

4 December 2025

Dear Sue

Application under Section 73 of the Town and Country Planning Act 1990 seeking a minor material amendment to DM/24/2482 at Gatehouse Hub, Neaves Park, Goddards Green.

Further to the approval of application DM/24/2482 I am instructed by my client, Bedford Park Developments, to submit an application under Section 73 of the Town and Country Planning Act 1990. The application seeks a minor amendment to the approved scheme, specifically relating to the arrangement of Units 3 -16.

Application DM/24/2482 was approved on 4th July 2025. The approved development is for the relocation of the previously approved Wellness Centre (Class E(d)) and the extension of the existing mixed used commercial park to provide 1,640 sqm of additional employment floor space for Class E(g), B2 or B8 uses. Condition 2 of the decision notice states:

"The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning."

This application seeks an amendment to condition 2 to vary the list of approved plans to allow a amendment to the arrangement of units 3-16.

On the approved site layout plan, these units are separated by a 2-metre gap. The proposed amendment removes this gap, bringing the two runs of units together. Importantly, there is no increase in the size or floorspace of the approved units; they are simply repositioned, eliminating the need for rear access doors.

These proposed changes are detailed in the following revised plans:

- Drawing reference: 2404-P-803 Rev D - Proposed Ground Floor Site Plan
- Drawing reference: 2404-P-804 Rev C - Proposed Site Plan
- Drawing reference: 2404-P-805 Rev D - Proposed Landscape Plan
- Drawing reference: 2404-P-807 Rev C - Fire Hydrant Plan
- Drawing reference: 069/TD/302 Rev F - Proposed Ground Floor Plan
- Drawing reference: 069/TD/303 Rev F - Proposed Roof Plan
- Drawing reference: 069/TD/320 Rev F - Proposed Elevations

- Drawing reference: 069/TD/321 Rev F - Proposed Elevations
- Drawing reference: 069/TD/340 Rev F - Proposed Sections A-C

This application does not propose any other amendment to the approved scheme which remains the same as set out in the approved list of drawings. For ease of reference a comparison table of the approved and amended plans is attached to this letter.

Section 73 of the Town and Country Planning Act 1990 sets out provisions for the submission and determination of applications for variation or discharge of conditions attached to planning permissions. These include provision for such applications to make a material amendment to an approved application. The National Planning Practice Guidance notes that there is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission.¹

Section 73(2) of the Town and Country Planning Act 1990 states that:

“On such an application the Local Planning Authority shall consider only the question of the condition subject to which planning permission should be granted, and:

- a) If they decide the planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they should grant planning permission accordingly, and*
- b) If they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.”*

The intention of an application under Section 73 of the Town and Country Planning Act is not for the LPA to revisit the key principles of the scheme, as these have already been considered and accepted under the previous grant of planning permission.

In this respect, it is noted that in the assessment of application DM/24/2482 the officers report to committee concluded that:

“The application is thereby considered to comply with policies DP1, DP12, DP17, DP20, DP21, DP26, DP29, DP38, DP39, and DP41 of the District Plan, policy SA34 and policy SA38 of the SADPD, policy Countryside HurstC1 of the Neighbourhood Plan, The Mid Sussex Design Guide SPD and the relevant provisions of the NPPF ”

In coming to this conclusion the officers report to committee identified the following matters as the key considerations in the determination of the application:

- Principle of Development;
- Design and Impact on the Character of the Area;
- Drainage;
- Access and Transport;

¹ Paragraph: 013 Reference ID: 17a-013-20230726

- Residential Amenity;
- Ashdown Forest;
- Ecology and Biodiversity Net Gain,
- Trees and landscaping;
- Infrastructure; and
- Sustainability.

Given that the amendments sought relate solely to the layout/positioning of Units 3-16 and that there is no increase in floor area, it is submitted that the sole issue for consideration in the determination of this application is in relation to “Design and Impact on the Character of the Area”.

When considering this issue previously officers concluded that:

“The proposed industrial design of the units is considered acceptable and reflects the proposed use and purpose of the buildings. The design of the commercial units would also reflect those of the approved scheme with both the commercial units, and the wellness centre having a contemporary design...”

Although the site is located in the countryside, in terms of the visual impact, it is relevant that there is existing development adjacent to the site with residential houses to the west and east, and the industrial site to the south on the site. It is not considered therefore that in this instance that there would not be a significant adverse impact on the countryside arising from the development, as the site is not isolated or in open countryside...

In light of the above, the proposed development is considered to be acceptable in terms of design and would not have a significant impact on the wider countryside, thereby according with policies DP12 and DP26 of the District Plan"

The proposed amendment sought will have a negligible impact on the character and design of the overall scheme. The removal of the intervening gap and the pushing together of the two runs of buildings does not significantly alter their appearance. It is submitted that the amendments will have no impact on the wider character of the area and still accords with the design requirements of Policies DP12 and DP26.

It is submitted that the proposed amendments are minor in scope and impact. The previously imposed regulatory controls will not be affected by the proposed changes.

Having regard to the Development Plan, and other material considerations, it is considered that the scheme, as proposed to be amended is wholly in accordance with planning policy.

On this basis, it is considered that the amendments proposed under this Section 73 application should be approved.

Yours sincerely



Sarah Sheath BSc (Hons) DipTP MRTPI
Senior Planner

List of plans approved under application DM/23/1051	Application Document List
Existing Block and Location Plans (2404-P-100) Rev A	Existing Block and Location Plans (2404-P-100) Rev A
Existing Site Plan (2404-P-101 Rev A)	Existing Site Plan (2404-P-101 Rev A)
Proposed Ground Floor Site Plan (2404-P-102 Rev C)	Proposed Ground Floor Site Plan (2404-P-803 Rev D)
Proposed Site Plan (2404-P-103 Rev C)	Proposed Site Plan (2404-P-804 Rev C)
Proposed Landscape Plan (2404-P-104 Rev C)	Proposed Landscape Plan (2404-P-805 Rev D)
Proposed Unit 01 Floor Plans (2404-P-105)	Proposed Unit 01 Floor Plans (2404-P-105)
Proposed Unit 02 Plans, Elevations & Sections (2404-P-106)	Proposed Unit 02 Plans, Elevations & Sections (2404-P-106)
Proposed Units 03-09 Floor Plans (2404-P-107)	Proposed Ground Floor Plan (069/TD/302 Rev F)
Proposed Units 03-09 Roof Plans (2404-P-108)	Proposed Roof Plan (069/TD/303 Rev F)
Proposed Units 10-16 Floor Plan (2404-P-109)	
Proposed Units 10-16 Roof Plans (2404-P-110)	
Proposed Units 17-21 Floor & Roof Plans (2404-P-111)	Proposed Units 17-21 Floor & Roof Plans (2404-P-111)
Proposed Unit 01 Elevations & Section (2404-P-112 Rev A)	Proposed Unit 01 Elevations & Section (2404-P-112 Rev A)
Proposed Units 03-09 North & East Elevations & Section (2404-P-113 Rev A)	Proposed Elevations (069/TD/320 Rev F)
Proposed Units 03-09 South & West Elevation (2404-P-114)	Proposed Elevations (069/TD/321 Rev F)
Proposed Units 10-16 South & West Elevations & Section (2404-P-115 Rev A)	
Proposed Units 10-16 North & East Elevations & Section (2404-P-116)	
Proposed Units 17-21 Elevations & Sections (2404-P-117 Rev A)	Proposed Units 17-21 Elevations & Sections (2404-P-117 Rev A)
Proposed Street Elevations Looking East & West (2404-P-118)	Proposed Sections A-C (069/TD/340 Rev F)
Proposed Materials Drawing (2404-P-119)	Proposed Materials Drawing (2404-P-119)
Fire Hydrant Plan (2404-P-120 Rev C)	Fire Hydrant Plan (2404-P-807 Rev C)