

Vistry Homes Ltd
Mr Chris Barker
ECE Planning Ltd
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/25/1469

DESCRIPTION: NON MATERIAL AMENDMENT TO PLANNING APPLICATION
DM/22/2699 - TO REMOVE THE WORDING (AMENDED PLANS
RECEIVED ON 2ND FEBRUARY 2023 SHOWING FURTHER
CHANGES TO THE APPEARANCE OF THE DWELLINGS) FROM
THE DESCRIPTION.

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

DECISION DATE: 13 JUN 2025

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 6 June 2025 for the following reason(s):

1. This application seeks to amend the wording the description of development to remove unnecessary references to the submission of amended plans.

Permission (ref. DM/22/2699) was granted on 22nd May 2023 for the following development:

'Variation of conditions 7 and 8 relating to Reserved Matters application DM/20/2763. (Amended plans received on 2nd February 2023 showing further changes to the appearance of the dwellings.'

This application seeks to amend the wording of the above description of development to remove the last sentence: *'(Amended plans received on 2nd February 2023 showing further changes to the appearance of the dwellings.'*

National guidance in the PPG on 'Flexible Options for Planning Permissions' states that there is no statutory definition of 'non-material', because the definition would be dependent on the context of the overall development as approved. The PPG states that a local planning authority (LPA) 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, and that LPA's must have regard to the effect of the change, together with any previous changes made under Section 96A, on the planning permission as originally granted.

The additional wording that is to be removed was provided to assist with communication to members of the public when amended plans were received. The proposed change will not result in a material change to the original planning permission as the approved drawings are not changing as a result of this application. The amended description properly describes the application. As such, this can be approved as a non material amendment to planning permission DM/22/2699. The revised description for the development would therefore be as follows:

'Variation of conditions 7 and 8 relating to Reserved Matters application DM/20/2763.'

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.



Ann Biggs
Assistant Director Planning and Sustainable Economy

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