

Mr Cook  
Mr Stuart Beckett  
Beckett Architectural & Consultancy Services Ltd  
53 Bramble Gardens  
Burgess Hill  
RH15 8UQ

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

**REFERENCE: DM/25/1466**

**DESCRIPTION: NON MATERIAL AMENDMENT TO APPLICATION DM/24/1995  
REDUCE PROPOSED ROOF PITCH FROM 45 TO 43 DEGREE  
ANGLE (WITH SAME RIDGE HEIGHT AS APPROVED DESIGN)  
AND TO ROTATE THE GARAGE FOOTPRINT BY 90 DEGREES.  
REMOVE THE WORDING (REVISED PLANS RECEIVED  
31.10.2024) FROM THE DESCRIPTION.**

**LOCATION: BRACKENDEAN, 20 FOLDERS LANE, BURGESS HILL, WEST  
SUSSEX**

**DECISION DATE: 2 JUL 2025**

**CASE OFFICER: CAROLINE GRIST - CAROLINE.GRIST@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 5 June 2025 for the following reason(s):

1. The proposal firstly seeks to change the roof pitch and re-orientate the garage building permitted under DM/24/1995. These changes are not considered to have a material effect upon the impact of the previously approved development and can therefore be treated as a non-material amendment.

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

Permission (ref. DM/24/1995) was granted on 6th December 2024 for the following development:

*'Proposed detached double garage (with store over), roof light windows to front and rear elevations and external staircase to side, in the front garden of the existing*

*house, including extending and realigning the existing driveway. (Revised plans received 31.10.2024)'*

This application seeks to amend the wording of the above description of development to remove the last sentence: *'(Revised plans received 31.10.2024.*

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. This change will not result in a material change to the original planning permission. The amended description properly describes the application. As such, this can also be approved as a non material amendment to planning permission DM/24/1995. The revised description for the development would therefore be as follows:

*'Proposed detached double garage (with store over), roof light windows to front and rear elevations and external staircase to side, in the front garden of the existing house, including extending and realigning the existing driveway.'*

### **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:

| <b>Plan Type</b>     | <b>Reference</b> | <b>Version</b> | <b>Submitted Date</b> |
|----------------------|------------------|----------------|-----------------------|
| Proposed Floor Plans | 2410-008C        |                | 05.06.2025            |
| Proposed Roof Plan   | 2410-008C        |                | 05.06.2025            |
| Proposed Sections    | 2410-008C        |                | 05.06.2025            |
| Proposed Elevations  | 2410-009C        |                | 01.07.2025            |



Ann Biggs  
Assistant Director Planning and Sustainable Economy

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