

ECE Planning Limited
64-68 Brighton Road
Worthing
BN11 2EN

Date: 19th December 2025

Please ask for: Hannah Kersley
Tel: 01903 737856

Your Ref:

Our Ref: AL/124/25/NMA

Dear Mr James,

**Section 96A of the Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015
(as amended) - Article 10**

Non material amendment following the grant of AL/107/21/PL to change wording of condition 43 to allow development up to damp proof course level prior to the submission of details of fire hydrants.

Woodgate Centre Oak Tree Lane Woodgate PO20 3GU

I refer to your recent application for a Non Material Minor Amendment.

Non-material amendments are considered to be those changes which are insignificant and do not change the intensity, form or description of the original planning permission. In regard to amendments to 'major' development, to be considered non-material, the works must not:

- materially change the overall appearance of the development;
- significantly increase the intensity of the development;
- result in significant additional material impact on amenity or infrastructure requirements;
- result in a change in application description, and;
- require amendment to a planning obligation.

This application is seeking a Non-Material Amendment to change the wording of condition 43 to allow development up to damp proof course level prior to the submission of details of fire hydrants.

Condition 43 currently states:

'Prior to the commencement of the development details showing the proposed location and phasing of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue

Service. These approvals shall not be unreasonably withheld or delayed.

Prior to the first occupation of any dwelling forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Fire and Rescue Service.

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan 2011-2031 and in accordance with The Fire & Rescue Service Act 2004.'

This application seeks to change the condition trigger from 'prior to commencement' to 'prior to damp-proof course level'. The purpose of this change is to enable an easier sequence for delivery of the development, and prevent delay to commencement. Following an attempt to discharge this condition prior to commencement, WSCC Fire and Rescue have raised an objection as a result of insufficient information. The proposed delay to the condition trigger will therefore allow the outstanding technical matters to be resolved between the applicant, WSCC and other relevant parties, whilst progress continues with other areas of the development.

This change to the condition trigger is acceptable, and would not result in material implications for the rest of the development; nor would it impact the material considerations of the planning permission. This approach to request details of fire hydrants at pre-DPC has been accepted on other developments within the District, and is an established approach. The change can therefore be accepted as an NMA under section 96A of the Town and Country Planning Act 1990.

The accepted amended wording of Condition 43 therefore now reads:

'Prior to damp-proof course level details showing the proposed location and phasing of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. These approvals shall not be unreasonably withheld or delayed.'

Prior to the first occupation of any dwelling forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and

arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

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Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan 2011-2031 and in accordance with The Fire & Rescue Service Act 2004.'

I trust this information is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning