

28 November 2025

Hannah Kersley
Arun District Council
Arun Civic Centre
1 Maltravers Road, Littlehampton
BN17 5LF

JC/Let/P2274

Dear Hannah,

Application for Non-Material Amendment under S96A for variation of Condition 43 pursuant to Application under reference AL/107/21/PL (*Demolition of the Woodgate Centre buildings (including 3 No. residential dwellings) & the construction of 180 No. residential dwellings with the creation of new vehicular access with footways and cycleways, ancillary road infrastructure, emergency access arrangements, associated parking, public open space, including children's play space, landscape planting, surface water attenuation & drainage & other associated infrastructure*) at Woodgate Centre, Oak Tree Lane, Woodgate, PO20 3GU.

On behalf of the applicant, **Lovell Partnership Limited**, this application has been submitted to Arun District Council via the Planning Portal under reference **PP-14494774**.

This Section 96A Application seeks to make non-material amendments to the previously permitted application (ref: AL/107/21/PL), granted permission on 9 October 2023 for:

'Demolition of the Woodgate Centre buildings (including 3 No. residential dwellings) & the construction of 180 No. residential dwellings with the creation of new vehicular access with footways and cycleways, ancillary road infrastructure, emergency access arrangements, associated parking, public open space, including children's play space, landscape planting, surface water attenuation & drainage & other associated infrastructure. This site is in Cil Zone H SP2, BEW Strategic Site and is not CIL Liable.'

It is proposed that Condition 43 be amended to allow development up to damp proof course level prior to the submission of details of fire hydrants.

Planning History

The following planning history is considered of relevance to this application.

AL/107/21/PL - Demolition of the Woodgate Centre buildings (including 3 No. residential dwellings) & the construction of 180 No. residential dwellings with the creation of new vehicular access with footways and cycleways, ancillary road infrastructure, emergency access arrangements, associated parking, public open space, including children's play space, landscape planting, surface water attenuation & drainage & other associated infrastructure. This site is in Cil Zone H SP2, BEW Strategic Site and is not CIL Liable. (Approved 9 October 2023).

AL/106/25/DOC - Approval of details reserved by condition imposed under AL107/21/PL relating to 13-waste storage, 14-archaeological works, 28-remediation strategy, 32-hard and soft landscape, 34-protection of existing trees/bushes/hedges, 40-decentralised and renewable energy or low carbon sources, 42-Employment and Skills Plan and 43-location of fire hydrants (please see AL/105/25/DOC for the discharge of conditions 15-foul drainage, 17-surface water drainage scheme, 18-maintenance and management of surface water drainage system and 21-discharge of flows). (Received 17 October 2025, awaiting decision)

Following comments from West Sussex Fire and Rescue Service (WSFR), the details submitted with the above application pursuant to the discharge Condition 43 were deemed to be insufficient. WSFR have informed the applicant that inadequate discussion has been held between the applicant, the relevant water authority, and WSFR. Of primary concern is whether it is acceptable to specify washouts for use as fire hydrants for the purposes of this condition.

Amendments

For the reasons outlined above, amendments are proposed to vary Condition 43 (Fire Hydrants) to change the associated time trigger to enable an easier sequence for delivery of the development. It is proposed that the time trigger of the first part of the condition, currently 'prior to the commencement of the development', be modified to read 'prior to the commencement of the development above damp-proof course level'.

Condition 43 would therefore read as follows:

'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.

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'

As discussed above, details previously submitted to discharge this condition have been found insufficient by West Sussex Fire and Rescue Service. The applicant is now working with its utility engineers to resolve this matter; however, this process is likely to affect the development programme. Adjusting the time trigger will therefore allow progress on site whilst the outstanding technical matters are resolved.

It should be noted that Portsmouth Water, the Utility Provider, have already produced a layout for the water supply and washout/hydrant locations for the scheme. West Sussex Fire and Rescue Service are currently in the process of reviewing this. Arun District Council should therefore be reassured that an appropriate layout that avoids conflict and phasing issues has been developed and is already under discussion by the relevant parties.

The Council will also be aware that an 'above damp-proof course' trigger has been included on equivalent conditions for other comparable developments in the district, including applications under references BN/84/20/PL and LU/299/22/PL. As the proposed change would not affect the form or function of the completed development and aligns with established practice, it should be regarded as non-material in nature.

Conclusion

In Summary, this application seeks amendments to the timing of Condition 43 attached to permission AL/107/21/PL at Woodgate Centre, Oak Tree Lane, Woodgate, PO20 3GU, enabling the development to progress to damp-proof course level while the outstanding hydrant-related matters are confirmed. The change does not alter the nature, layout or delivery of the approved scheme, simply adjusting the point at which the required information is submitted in the context of ongoing coordination between the applicant and all relevant parties.

We trust that the information in this letter is sufficient to determine that the proposed amendment is non-material in nature and be approved accordingly.

If you have any further queries or require further information, please contact me on [REDACTED]

Yours sincerely
ECE Planning

Huw James MRTPI
Director