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Planning Department
Arun District Council
Maltravers Road
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BN17 5LF

15th January 2025

F.A.O. Simon Davis, Principal Planning Officer

Dear Mr Davis

Proposed Non-Material Amendment to AL/70/23/OUT
Land West of Lidsey Road (A29), Lidsey

I write further to our previous discussions to submit a non-material amendment application to the above consent under Section 96a of the Town and Country Planning Act 1990 (as amended), on behalf of my client, BDW Southampton. This application seeks to amend the description of development of planning permission AL/70/23/OUT on land west of Lidsey Road (A29), Lidsey, to increase the level of development approved by 15 dwellings, to provide up to 170 dwellings. As you will be aware, the current description of development is as follows:

"Outline planning application with all matters reserved except access for residential development of the site with up to 155 dwellings (Use Class C3), informal and formal public open space, landscaping, drainage, and other associated works"

The site does not have the benefit of any reserved matters consent and as such there are no approved detailed layout or design matters. The proposed revised wording for the description of development is as follows:

"Outline planning application with all matters reserved except access for residential development of the site with up to 170 dwellings (Use Class C3), informal and formal public open space, landscaping, drainage, and other associated works"

As you are aware, S96a allows a consent to be amended, provided that the LPA is satisfied that the change is non-material in nature and case law has established that such changes can include amendments to the operative part of a consent. The decision on whether a change is non-material is a planning judgement for the LPA, having regard to the effect of the change together with any previous changes made.

In this case, there have not been any previous changes made to the consent and as the site is located within a growth area then the additional number of units proposed is insignificant to both the number of dwellings approved by this consent and the level of development proposed within this area generally. As such it is

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considered that the addition of 15 dwellings in this instance is non-material in nature and consequently this change can be made under this procedure. The increase in dwelling numbers on this site also meets the principles set out at NPPF Paragraph 129 to support development that makes an efficient use of land and the general thrust of recent Government announcements and changes made to the NPPF, which seek to boose housing delivery and help tackle the current housing crisis, whilst also helping to meet the District's housing requirement.

I look forward to discussing this application further, if however if you have any queries then please do not hesitate to contact me.

Yours sincerely

[redacted]

Robert Collett BA(Hons) MTP MRTPI PIEMA
Associate Director
[redacted]