

Michael Eastham
Principal Planning Officer
Planning Department
Arun District Council
Arun Civic Centre
Littlehampton
BN17 5LF

16 June 2021

Dear Michael,

**Land south of Water Lane, Angmering
Submission of Non-Material Amendment (Section 96A) Pursuant to Outline Planning Permission
A/99/17/OUT.**

Further to our meeting on 15 June, attended by the Lead Local Flood Authority (LLFA) and ALP Consulting Engineers, please find enclosed a Non-Material Amendment (Section 96A) to amend Condition 26 - Access and Maintenance of any Watercourse or Culvert on Outline Planning Permission A/99/17/OUT.

Outline Planning Permission was granted on 12 March 2019 for the following:

Outline application with some matters reserved (Access only) for development up to 175 No. residential dwellings, public open space, play areas with associated infrastructure including roads, drainage & landscaping. This application affects the character & appearance of Angmering Conservation Area & the setting of Listed Buildings.

Reserved Matters were subsequently approved on 4 Feb 2021 (residential element) and 5 Feb 2021 (culvert).

Section 96A of the Town and County Planning Act allows a Local Planning Authority to make changes to a planning permission providing that the change is not material. This power extends, under S96A (3)(b), to the alteration or removal of planning conditions.

It was suggested by the LLFA at our recent meeting and supported by Officers, that a S96A application should be submitted to change the trigger on Condition 26. This will allow the LLFA to continue to discuss the maintenance of the culvert with West Sussex Highways at no detriment to Barratt David Wilson's (BDW) start on site. BDW has many months of preliminary works on this site to facilitate the construction of the culvert and it is unnecessary to delay the commencement of these works (in the summer months) because the LLFA/WSCC is in protracted discussion.

This Section 96A Application therefore seeks to amend the wording of Planning Condition 26 from a pre-commencement condition to a pre-occupation condition. This change is at no detriment to the

Barratt David Wilson Southern Counties
BDW House, Walnut Tree Close, Guildford, Surrey, GU1 4SW



overall aim of the planning condition which is to establish and secure the best possible maintenance regime for the culvert.

Planning Condition 26 presently reads (our emphasis):

"The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site."

We are seeking to amend the wording as follows (our emphasis):

"No dwelling shall be occupied until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved..."

This Section 96A is supported by email correspondence from the LLFA dated 28 May (enclose).

The submission comprises the following:

- Signed, dated and completed application form;
- Application fee [REDACTED] paid to the Planning Portal;
- Cover Letter;
- Supporting email from LLFA.

I trust that this submission, which is informed by discussion with Officers and the LLFA is clear and that the Non-Material Amendment (Section-96A) can be swiftly approved.

Should you require any further information then please do not hesitate to contact me on [REDACTED]

Yours sincerely

[REDACTED]
Sean Havis AssocRTP1
Planner
Barratt David Wilson Homes – Southern Counties