

JMS Planning & Developement Ltd
Build Studios
203 Westminster Bridge Road
Lambeth
London
SE1 7FR

Date: 23rd July 2021

Please ask for: Michael Eastham

Tel: 01903 737772

Your Ref:

Our Ref: BE/114/21/NMA

Dear Mr Sutton,

**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 grant of BE/135/18/PL to change the wording of the Full Condition 32 to allow public opening hours to be from 6.00 to 23.00 Monday to Saturday and 08.00 to 20.00 Sundays and Bank Holidays.

Unit 5 Saltbox Shripney Road Bersted Bognor Regis PO22 9NW

I refer to your recent application for a Non Material Minor Amendment. I note that you propose to amend the opening hours of the Drive-thru restaurants in Full Condition 32 of BE/135/18/PL to allow Units 4 and 5 at Salt Box, Shripney Road, Bersted to open 1 hour earlier at 0600 hours instead of 0700 hours.

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. They cannot breach adopted planning policy, conflict with any conditions of the original permission, result in changes to the external details that would materially alter the appearance of the building or be such that consultation/publicity is required.

The reason that this proposal has not been accepted as a Non-Material Amendment is because the proposal clearly affects a full condition on BE/135/18/PL. The reason for the hours imposed was to discourage anti-social behaviour and avoid a detrimental impact on neighbouring residents at the Rowan Park Caravan Park and in Shripney Village. It is our view that the change is material and it constitutes an amendment that could have a material impact on neighbouring residents and would warrant re-consultation either of neighbours, council departments (i.e. Environmental Health) or statutory bodies. Therefore, it cannot be

considered under section 96A of the Town and Country Planning Act 1990.

From the information submitted, I am not prepared to take the proposed variation to Full Condition 32 as a Non-Material Minor Amendment to planning permission (BE/135/18/PL) at Salt Box.

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