

Application for a non-material amendment following a grant of planning permission.

Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	
Suffix	
Property name	Land At Salt Box West Of
Address line 1	Shripney Road
Address line 2	
Address line 3	
Town/city	Bognor Regis
Postcode	PO22 9NW
Description of site location must be completed if postcode is not known:	
Easting (x)	493790
Northing (y)	101639
Description	

2. Applicant Details

Title	Mr
First name	Paul
Surname	Hanson
Company name	Landlink Estates Ltd
Address line 1	Ham Farm
Address line 2	Main Road
Address line 3	Bosham
Town/city	West Sussex

2. Applicant Details

Country

Postcode

PO18 8EH

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Primary number

Secondary number

Fax number

Email address

3. Agent Details

Title

Mr

First name

Michael

Surname

Whitwell

Company name

Mountford Pigott LLP

Address line 1

Ocean House

Address line 2

50 Kingston Road

Address line 3

Town/city

New Malden

Country

Postcode

KT3 3LZ

Primary number

Secondary number

Fax number

Email

4. Eligibility

Do you, or the person on whose behalf you are making this application, have an interest in the part of the land to which this amendment relates?

☒ Yes ☐ No

If you are not the sole owner, has notification under article 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 been given?

☐ Yes ☐ No ☒ Not Applicable

5. Description of Your Proposal

Please provide the description of the approved development as shown on the decision letter

Hybrid application comprising of Outline application for the principle of employment uses B1-B8. Full application for Class B8 warehouse with fuel-island and car parking (Unit 2), 2 No. Class B1/B8 employment units with associated parking and servicing (Units 6 and 7), Class A1 retail food store with car parking and servicing (Unit 8), 2 No. drive thru units with car parking and servicing (Units 4 and 5), car showroom, workshops (including MOT testing), vehicle storage, external display areas, service areas and parking (Unit 9) together with access roads, associated ground and engineering works, landscaping and ancillary works. This application affects the character and appearance of the Shripney Conservation Area and a Public Right of Way.

Reference number:

BE/135/18/PL

5. Description of Your Proposal

Date of decision

07/11/2019

What was the original application type?

Full planning permission

For the purpose of calculating fees, which of the following best describes the original application type?

- ☐ Householder development: Development to an existing dwelling-house or development within its curtilage
- ☒ Other: anything not covered by the above category

6. Non-Material Amendment(s) Sought

Please describe the non-material amendment(s) you are seeking to make

Substitution of the construction management plan submitted as part of the original application BE/135/18/PL, with that submitted and approved to discharge condition 7 of the first application BE/102/17/OUT, to maintain consistency across the applications.

Are you intending to substitute amended plans or drawings?

☒ Yes ☐ No

If yes please complete the following

Old plan/drawing numbers

Construction Management Plan Rev. A (3.0)

New plan/drawing numbers

Construction Management Plan November 2020 3rd Issue

Please state why you wish to make this amendment

Section 96A of the Town and Country Planning Act 1990 provides a mechanism to effect non-material changes to a consented development, including variation of conditions, that will allow it to proceed without the delay, cost and expense of a further planning application.

Under subsection (1) of Section 96A, an LPA may make a change to any planning permission if they are satisfied that the change is not material. Further, under subsection (3) the power conferred by (1) includes the power to remove or alter existing conditions.

There is no statutory definition of a 'non-material amendment'. This is because the materiality of a change depends on a number of factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and surrounding areas, which will vary from one application to another.

The responsibility for determining whether a proposed change is non-material lies with the local planning authority. When assessing whether an amendment is non-material, the key considerations will be factors including:

- Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved;
- Would the proposed change result in a detrimental impact either visually or in terms of local amenity;
- Would the interests of any third party or body be disadvantaged in planning terms; or
- Would the proposed changes conflict with national or development plan policies.

In this case the amendment sought is purely administrative insofar as it seeks to incorporate within the permission the Construction Management Plan (CMP) already agreed by the local planning authority in discharge of conditions on the preceding and related permission BE/102/17/OUT under DOC reference BE/121/20/DOC. The only material difference in the content of the CMP to that previously agreed is that it reflects the change in contractor.

In this regard we consider that the submission falls within the terms of an NMA submission.

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
- ☒ The applicant
- ☐ Other person

8. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

Mr

8. Pre-application Advice

First name	Michael
Surname	Eastham
Reference	

Date (Must be pre-application submission)

12/07/2021

Details of the pre-application advice received

Principles of NMA discussed and agreed with Michael Eastham and Karen Garner in conference call on 12th July 2021

9. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☐ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

10. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

Date (cannot be pre-application)

13/07/2021