

PDP Architecture LLP
2 Beechworth Road
Havant
PO91AX

Date: 24th December 2021

Please ask for: Amy Myer
Tel: 01903 737776

Your Ref:

Our Ref: LU/385/21/NMA

Dear Mr Saunders,

**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 the grant of LU/45/20/PL for the reconfiguration of fenestration to north and east elevations and omission of associated external amenity areas.
Saltmarsh House 1 Old Market Lane Littlehampton BN17 5FB

I refer to your recent application for a Non Material Minor Amendment. I note that you propose to change the fenestration on the east and north elevations and omit the outdoor terrace/balconies serving the 3 flats from that approved under LU/45/21/PL.

Non-material amendments (NMAs) 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 or publicity is required.

The proposed fenestration changes would not materially alter the visual appearance of the building nor result in any additional openings and thus no increase in overlooking and would therefore have no material impact on residential amenity.

However, the proposals would remove/omit all private external amenity areas serving the 3 flats. This would be contrary to adopted guidance in the Arun District Council Design Guide Supplementary Planning Document (2021) and would be considered a material change to the approved scheme, since it would result in the flats not having access to any private external amenity space.

The proposed fenestration changes can be considered to be NMAs, however the change in

respect of the omission of the external amenity areas is not considered to be a NMA under section 96A of the Town and Country Planning Act 1990, and the NMA application can therefore not be granted.

Instead this change would have to be considered under a Section 73 variation of condition application to vary condition 2 (approved plans) of LU/45/21/PL and its acceptability would be assessed under said application.

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