



Planning Department
Arun District Council
1 Maltravers Road
Littlehampton, BN17 5LF

London
Holmes House
4 Pear Place
London SE1 8BT

06 March 2020

Dear Sir/Madam,

Land West of Yapton Road (Poultry Farm), Middleton-on-Sea, PO22 6DY
Section 96A of the Town and Country Planning Act 1990

We are instructed by our client, Frontier Estates to submit an application for a 'non-material amendment' to the development approved by planning application reference M/45/16/PL. This covering letter accompanies the following submission documents, which together form the application:

- Completed application form
- Drawing number TSP 532-PL01-F

Background and context

Planning permission was granted by the local planning authority on 07 February 2017 for *demolition of redundant poultry farm buildings & dwelling and & erection of 13 No. dwellings with associated access, car parking & landscaping.*

S96A of the Town and Country Planning Act sets out that *a local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.*

The proposed amendment

It is proposed to alter the arrangement of parking spaces at plots 2, 3, 4, 5, 8 and 9 would be adjusted, to allow for the parking of two cars alongside one another. This is a better option than relying on tandem parking arrangements, which could lead to off-site pressures and is not what the preferred house builders are designing to. This would better meet the anticipated needs of potential future occupiers and would retain the high quality of the development.

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These changes are being proposed in conjunction with the access works that will form the first part of the construction.

Analysis

The National Planning Practice Guidance (NPPG) states that there is no statutory definition of 'non-material'. This is because it will depend on the context of the overall scheme.

The local planning authority has its own guidance to assist in interpreting when a proposed amendment should be regarded as non-material. That guidance was endorsed by Development Management Committee in 2017. That guidance, together with how this proposal complies with it is described below:

Criteria	Response
Whether there would be a change to the use or intensity of the development, a change in the description of development or a conflict with a planning condition.	This amendment would not result in a change of use at the site, an intensity of the development, a change in the description of development or a conflict with any planning condition.
Whether the site area would change.	There would be no change in the application site area.
Whether there would be a breach of policy as a result of the amendment.	There would be no breach of planning policy as a consequence of the proposal.
A planning obligation would be affected.	No planning obligation would be impacted.
Windows would be introduced that could lead to overlooking.	No windows would be introduced.
There would be a material change to the appearance of a building.	There would be no amendments to the appearance of any buildings.
Re-consultation would be required.	No consultation would be required as a result of this amendment.
There would be a material increase in height, width or length of a building or the location of the development would materially change.	There would be no change to the size of any buildings and the location of the development would not change.

Conclusions

The proposed amendment to the approved development would not represent a material change to the scheme and would meet the Council's criteria for assessing the same. Accordingly, we would respectfully request that this application under S96A of the Town and Country Planning Act is granted expeditiously.

Yours sincerely,

Nik Smith

Associate Director