

Nexus Planning
Suite 3, Floor 3, Apex Plaza
3 Forbury Road
Reading
RG1 1AX

Date: 29th November 2021

Please ask for: Mr D Easton

Tel: 01903 737500 ex37361

Your Ref:

Our Ref: Y/161/21/NMA

Dear Miss Mortimer-Davies,

**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 Y/91/17/OUT to amend Condition Nos 9 -
proposed surface water drainage scheme and 12 - foul water drainage scheme.

Land at Bilsham Road Yapton

I refer to your recent application for a Non Material Minor Amendment. The application proposes the amendment of Condition 9 (proposed surface water drainage scheme) and 12 (surface water drainage) to allow for the submission and approval of these details prior to commencement rather than prior to the approval of the reserved matters.

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 Council will not accept an increase in width/length of more than 1m, an increase in height of more than 0.3m or the movement of the development by more than 1m in any direction.

Your proposal clearly affects the conditions on the original permission however, it is our view that the change is non-material and that it does not affect the requirements of the respective conditions. A similar amendment was previously accepted as a NMA and approved under reference Y/21/21/NMA for the neighbouring development. Therefore, in this case the Council have decided to allow the changes as a NMA under section 96A of the Town and Country Planning Act 1990 (as amended). Therefore, the conditions are amended as set out below:

(9) Prior to the commencement of each phase of the development full details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the local planning authority, and shall include;

- Winter groundwater monitoring to established highest annual ground water levels and percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage.
- Details of any discharge of any flows to watercourses, the culverting or diversion, infilling or obstruction of any watercourses on the site.
- Arrangements for future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site.

No building shall be occupied in any phase until the complete surface water drainage system serving it has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policies D DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences and to protect existing watercourses prior to the commencement of development.

(12) Prior to the commencement of each phase of the development details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance, if appropriate) and no dwelling shall be occupied until works for the disposal of sewage relating to that dwelling have been fully implemented in accordance with the approved details.

Reason: To ensure adequate infrastructure is provided to enable the scheme to be satisfactorily drained in accordance with Policies D DM1, W DM1 and W SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the foul drainage system goes to the heart of the planning permission.

I trust this information is of assistance to you.

Yours sincerely



Neil Crowther
Group Head of Planning