



16th July 2024

Submitted via the planning portal reference: PP-13250497

Planning Services
Havant Borough Council
Civic Centre Road
Havant
PO9 2AX

Dear Sir/Madam

**NON- MATERIAL AMENDMENT APPLICATION TO APP/21/00678
Camp Field (land to the west of Havant Crematorium), Bartons Road, Havant**

Please accept this letter and enclosures as an application for non-material amendment ('NMA') to planning permission reference: APP/21/00678 Camp Field (land to the west of Havant Crematorium), Bartons Road, Havant.

This application has been submitted under Section 96a of the Town and Country Planning Act 1990.

Background

Full planning permission (APP/21/00678) was granted on 30 June 2023 for the following description of development:

Application for Reserved Matters Approval pursuant to Outline Planning Permission APP/19/00007 for the layout, scale, appearance and landscaping of 70 dwellings and associated works.

Non-material Amendment

As you are aware, Section 96A of the Town and Country Planning Act 1990 enables local planning authorities in England to make a change to any planning permission relating to land in their jurisdiction where they are satisfied that that the change is not material. Applications under Section 96A can be made by any person with an interest in the land to which the planning permission relates.

Specifically, the act states that:

"A local authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes under this section, on the planning permission as originally granted."

No definition of what constitutes a non-material change is provided in the legislation nor in the National Planning Practice Guidance, instead it states: *"There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another."*

It is up to the Council, and their discretion, to confirm whether they consider NMA applications to be non-material or not.

In this case, the changes proposed from the original permission are minor and do not materially change the scheme from what has been previously approved.

Non-material Amendment: Proposed Changes

Since planning permission was granted, Redrow has further reviewed the layout pursuant to site delivery and identified that a non-material amendment is required to the approved site layout drawings:

- Coloured Site Layout Drawing No. CSL.02 Rev G



The amendment is sought to regularise the layout drawings to reflect the recently approved (dated: 15 May 2024) proposals to the north of the site within East Hampshire District Council under application for the following development.

Development of 61 dwellings, with associated private and communal amenity space, garages, parking, internal roads, pathways, sustainable urban drainage, landscaping and associated works (amendments and additional information received 16/03/23)

We have enclosed the approved site layout drawing reference: Drg. A982_01_REV T - Planning Layout Issue 10 Colour for the northern parcel for ease of reference.

The amendments ensures that there is seamless alignment between the two approved layout which have been acceptable to both Local Planning Authorities. The areas of change are focussed on the following areas:

- Amendments to the loop road at the north-west corner of the site to remove a turning head and allow for the continuation of the road layout into the northern parcel. The turning head is no longer as refuse lorries will now follow the loop road into the northern extent of the development following its approval rather than needing to turn and go back out the way it came in; and
- Amendment to the north-east corner of the site to reflect a short extension to the internal road to the north of plots 67-70 alongside two parking spaces.

We have included a marked-up version of the 'Areas of Change' for ease, and information purposes only.

Document Submission

For completeness, the updated drawing to reflect the amendments are as follows:

Approved Drawings	NMA Drawing
Coloured Site Layout Drawing No. CSL.02 Rev G	7424-SL-001 REV A – Site Layout

Summary

The National Planning Practice Guidance makes it clear that the Section 96A procedure is appropriate for dealing with non-material amendments to planning applications.

This application seeks a non-material change to amend the approved layout to reflect the reserved matters approval on land to the north of the site within East Hampshire District Council and to ensure consistency between the two proposals.

The application has been submitted via the Planning Portal under reference PP-13250497. The requisite planning application fee of £363 has been paid via the Planning Portal.

We trust that there is sufficient information for both the validation and determination of this application. However, if you require any further information, please do not hesitate to contact me.

Yours faithfully

Hannah Knowles
Planning Manager