



James Neave  
Principal Planning Officer  
Ground Floor Northleigh  
County Hall  
Chichester  
PO19 1RH

Your Ref: WSCC/052/20

Our Ref: 70079718

19 April 2022

Dear James Neave,

**SECTION 96A SUBMISSION FOR A NON-MATERIAL AMENDMENT TO PLANNING  
PERMISSION WSCC/052/20 DATED 30th June 2021**

WSP UK are acting on behalf of West Sussex County Council (hereinafter referred to as “the Applicant”) regarding the submission of a Non-Material Amendment (NMA) to an extant planning permission for the following development:

**Construction of a single carriageway with shared cycleway / footway, roundabouts, road markings, traffic signals, bus stops, provision of hard and soft landscaping, construction of a substation building, installation of a noise barrier, and other associated works at Land to the north of Eastergate and north-west of Barnham, PO22 0DF**

The construction of a single carriageway at Land to the north of Eastergate and north-west of Barnham is authorised by the planning permission reference WSCC/052/20 and was Granted with Conditions on 30/06/2021.

**S96A SUBMISSION**

The mechanism for introducing non-material amendment to a planning permission is through the submission of an application under Section (s)96A of the Town and Country Planning Act 1990. S96A states the following:

**“(1) A local planning 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.**

**(2) 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 made under this section, on the planning permission as originally granted.**

There is no statutory definition of 'non-material'; it is dependent on the context of the overall scheme (i.e. what is non-material in one case may be material in another). A Non-Material Amendment is sought to change the location of a bus shelter located on the Southern Carriageway of the Proposed Scheme as shown on the A29-CAP-HPN-00-DR-C-0133 S0 drawing no. P14

### **NMA JUSTIFICATION**

As mentioned, the proposed NMA seeks to change the location of the westbound bus stop and shelter located on the Southern Carriageway of the Proposed Scheme. The relocation was required following Road Safety Audit 2 review by the Overseeing Organisation which requested the bus stop to be relocated west of the proposed roundabout.

A Supplementary Environmental Statement Addendum (ES Addendum 2022) has been prepared that reviews the proposed amendment against the original Environmental Statement dated 2021 (2021 ES). The ES Addendum 2022 concludes that the amendment to the position of the bus shelter is unlikely to have significant adverse environmental effects to those identified in the 2021 ES. The assessment undertaken in relation to the 2021 ES remains valid. Therefore, we contend that the amendment is non material.

We list below the revised plans that are affected by this change:

<b>Plan Name</b>	<b>Existing Plan Number</b>	<b>Revised Plan Numbers</b>
Plan and Profile: Sheet 2 of 4	A29-CAP-HPN-00-DR-C-0176-P04	A29-CAP-HPN-00-DR-C-0176-P05
Cross Sections: Sheet 1 of 3	A29-CAP-HPN-00-DR-C-0180-P08	A29-CAP-HPN-00-DR-C-0180-P09
Cross Sections: Sheet 2 of 3	A29-CAP-HPN-00-DR-C-0181-P08	A29-CAP-HPN-00-DR-C-0181-P09
Cross Sections: Sheet 3 of 3	A29-CAP-HPN-00-DR-C-0182-P09	A29-CAP-HPN-00-DR-C-0182-P10
Site Plan: Sheet 2 of 5	A29-CAP-HPN-00-DR-C-0133-P08	A29-CAP-HPN-00-DR-C-0133-P14
Proposed Landscape with Revised Redline Boundary ES Addendum	A29-CAP-HPN-00-DR-C-0239-P03	A29-CAP-HPN-00-DR-C-0239-P04
Infiltration Pond 2: Pond Models and Cross Sections Sheet 1 of 3	A29-CAP-HPN-00-DR-D-0240-P02	A29-CAP-HPN-00-DR-D-0240-P04



Site Clearance Layout: Sheet 2 of 5	A29-CAP-HPN-00-DR-C-0247-P01	A29-CAP-HPN-00-DR-C-0247-P02
Bus Stop Locations	A29-CAP-HGN-00-DR-C-0252-P01	A29-CAP-HGN-00-DR-C-0252-P02

We understand that the application fee of £266.20 will be paid via an internal transfer within West Sussex County Council, using the WSCC Charge Code HC-00010.1.

I trust everything is in order and that the application can be progressed without delay.

Yours sincerely,

Sam Noble  
Graduate Consultant - Infrastructure Planning