

## PLANNING DECISION NOTICE

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### DECISION: NON-MATERIAL AMENDMENT GRANTED

**Town & Country Planning Act 1990 (As Amended)**  
**Town & Country Planning (Development Management Procedure)(England) Order 2015**

**Application No:** 250302  
**Location:** Site 1 off Martinique Way, Martinique Way, Eastbourne, East Sussex  
**Proposal:** Non material amendment application for alterations to fifth floor northern elevation in relation to planning permission 230847 granted on 11/02/2025.  
**Decision Date:** 6<sup>th</sup> May 2026

I refer to the above application and can confirm that the alterations as set out in your application do not amount to material changes to the approved plans. The proposed changes can therefore be treated as a non-material amendment to the approved scheme.

This application has been considered on the basis of the following details and plans received on 8<sup>th</sup> May 2025:

- 23026-GFA-A-ZZ-DR-A-12100
- 23026-GFA-A-ZZ-DR-A-12101
- 23026-GFA-A-ZZ-DR-A-11122-05

It is important that all works are carried out in accordance with the details, plans and drawings hereby agreed.

Please note that this application should be read in conjunction with the original planning permission. The conditions attached to that permission remain enforceable and should be complied with.



Neil Collins  
Head of Development Management | Planning First  
Lewes District Council and Eastbourne Borough Council

Informatives:

- 1) The material considerations and relevant planning policy in the determination of this application were:
  - Design and the impact upon the character and appearance of the area  
Policy D10a (Design) of the Eastbourne Core Strategy 2013, saved policies UHT1 (Design of New Development) and UHT4 (Visual Amenity) of the Eastbourne Borough Plan 2003 and paragraphs 8 and 135 of the NPPF.
  - Amenity of neighbouring occupants  
Policy B2 (Creating Sustainable Development) of the Eastbourne Core Strategy 2013, saved policy HO20 (Residential Amenity) of the Eastbourne Borough Plan 2003 and para. 135 of the NPPF.

The Local Planning Authority has undertaken notification in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). No representations were received following expiry of the statutory notification period.

The impacts of the proposal have been fully assessed and Officers consider that the proposal is acceptable in terms of the above material considerations and accords with the Development Plan.

- 2) The applicant is advised of the requirement under Section 93G of the Levelling Up and Regeneration Act 2023 to inform the Local Planning Authority of the planned start date for any development that is the subject of the grant of planning permission, including any variation under Section 73 of the Town and Country Planning Act 1990 (as amended). In the event of any subsequent change to a planned start date, the applicant must issue a new commencement notice detailing the new planned start date.
- 3) In dealing with the application, the Council has sought to work with the applicant in a positive and proactive manner in accordance with paragraph 39 of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Council has published its saved policies of the Borough Plan 2007 and the Core Strategy Local Plan 2013 on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. The Council also offers a pre-application advisory service which applicants are encouraged to engage with prior to the submission of any application. **Officers have worked with the applicant to overcome policy conflicts through revisions to the proposal to meet the objectives of the Development Plan.**
- 4) Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You are advised that carrying out any building works that can be heard at the boundary of the site, including demolition, site clearance or building operations, should only take place only between the hours of 08.00- and 18.00-hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays.
- 5) Your proposals may be subject to control under the Building Regulations which cover aspects including fire and emergency escape, access, and facilities for people with disabilities and sound insulation between dwellings. Please contact the East Sussex Building Control Partnership for further advice: [www.eastsussexbuildingcontrol.co.uk](http://www.eastsussexbuildingcontrol.co.uk)
- 6) This permission may be Liable for CIL (Community Infrastructure Levy). You are advised to contact the CIL Team at [CIL@lewes-eastbourne.gov.uk](mailto:CIL@lewes-eastbourne.gov.uk) prior to work starting on site to ensure that the CIL Regulations have been complied with. Failure to comply may result in

surcharge, immediate payment of the outstanding Liability and loss of opportunity to apply for any relief.

- 7) The human rights considerations have been taken into account fully in balancing the planning issues and the proposals will not result in any breach of the Equalities Act 2010.
- 8) Access for Fire Brigade: your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981.
- 9) This permission does not convey any approval to carry out alterations to the public highway, which will require separate consent from the Highway Authority.

This permission relates only to that required under the Town and Country Planning Acts and does not include any consent or Approval under any other enactment. Any other consent or approval which is necessary must be obtained from the appropriate authority.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>