

Mr Lance Smith
c/o Mr Philip Andrews
WvH Planning Ltd
Elmwood
High Park Avenue
East Horsley
KT24 5DD

CONTACT: Andrew Horrell
PHONE: 01444 477446
E-MAIL: andrew.horrell@midsussex.gov.uk
REF: DM/26/0265
DATE: 8th July 2026

Dear Sir/Madam

Summer Lodge Copyhold Lane Cuckfield Haywards Heath
Variation of condition nos 2, 5, 6 and 7 relating to planning application DM/25/1882 -
Condition 2 (Approved Plans) to incorporate revised landscape proposals, including an
open swimming pool and pool/plant house, a greenhouse and tree planting, together with
the submission of details to address Conditions 5 (Natural England demolition licence), 6
(Biodiversity Enhancement Strategy) and 7 (Foul and surface water drainage).

I advise that your application DM/26/0265 was **Granted Permission** on **8th July 2026**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

Mr Lance Smith
Mr Philip Andrews
WvH Planning Ltd
Elmwood
High Park Avenue
East Horsley
KT24 5DD

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/26/0265

DESCRIPTION: VARIATION OF CONDITION NOS 2, 5, 6 AND 7 RELATING TO PLANNING APPLICATION DM/25/1882 - CONDITION 2 (APPROVED PLANS) TO INCORPORATE REVISED LANDSCAPE PROPOSALS, INCLUDING AN OPEN SWIMMING POOL AND POOL/PLANT HOUSE, A GREENHOUSE AND TREE PLANTING, TOGETHER WITH THE SUBMISSION OF DETAILS TO ADDRESS CONDITIONS 5 (NATURAL ENGLAND DEMOLITION LICENCE), 6 (BIODIVERSITY ENHANCEMENT STRATEGY) AND 7 (FOUL AND SURFACE WATER DRAINAGE).

LOCATION: SUMMER LODGE, COPYHOLD LANE, CUCKFIELD, HAYWARDS HEATH

DECISION DATE: 8 JUL 2026

CASE OFFICER: ANDREW HORRELL -
ANDREW.HORRELL@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

Conditions

1. The development hereby permitted shall be begun before the 14th November 2028.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No external materials shall be used other than those specified on the approved plans and application form without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and CNP1 of the Cuckfield Neighbourhood Plan.

4. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (JW Biodiversity Management, July 2025) and the Bat Emergence Surveys (JW Biodiversity Management, July 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to accord with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

5. Any works which will impact the breeding / resting place of bats, shall adhere with the Bat Mitigation licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended).

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and to accord with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

6. The submitted Biodiversity Enhancement Strategy (JW Biodiversity Management 12th January 2026) shall be implemented in accordance with the hereby approved details and shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and to accord with Policy DP38 of the Mid Sussex District Plan 2014 - 2031.

7. Prior to the occupation of the dwelling the drainage works shall be carried out in accordance with the submitted Hodel Technical Note (Document Ref: 25187-HOD-XX-XX-RP-C-5806).

Reason: To ensure that the proposal is satisfactorily drained and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

8. The protection measures outlined with the preliminary Ecological Appraisal submitted on the 29th July 2025 shall be adhered to.

Reason: To protect biodiversity and to comply with DP38 of the Mid Sussex District Plan.

9. The Arboricultural Planning Report from 29th July 2025 and Tree Protection Plan (2025/001/TPP/RevA) from 3rd February 2026 shall be adhered to during the construction of the approved development.

Reason: To safeguard the retained trees and their root protection area and to comply with policy DP37 of the Mid Sussex District Plan.

10. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sunday Bank/Public Holidays or at any time other than between the hours 8 am and 6 pm on Mondays to Fridays and between 9 am and 1 pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

11. The work shall be carried out in accordance with the details set out in the Landscape General Arrangement Drawings no L100, L101 and L102 Rev P03. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP16 of the Mid Sussex District Plan 2014 - 2031.

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is began** because it is considered that one or more of the statutory exemptions or transitional arrangements is considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Drainage Details	25187-HOD-XX-XX-RP-C-5806		04.06.2026
Site Plan	P004	G	04.11.2025
Proposed Site Plan	b120d		29.07.2025
Location Plan	b121d		29.07.2025
Block Plan	b122d		29.07.2025
Sections	b111c		29.07.2025
Existing Floor and Elevations Plan	b140c		29.07.2025
Proposed Elevations	b110c		29.07.2025
Proposed Floor and Elevations Plan	b100c		29.07.2025
Proposed Site Plan	2025/001/TPP	Rev A	03.02.2026
General	25187-HOD-XX-ZZ-DR-C-5100	P05	03.02.2026
Landscaping Details	L100	P03	03.02.2026
Landscaping Details	L101	P03	03.02.2026
Landscaping Details	L102	P03	03.02.2026



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

PECNDZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.uk.

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Self and Custom Build development, meaning development which:

- (i) consists of no more than 9 dwellings,
- (ii) is carried out on a site which has an area no larger than 0.5 hectares, and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in Section 1(A1) of the Self Build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the replaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.