

Watling
c/o Mr Chris Barker
ECE Planning Ltd
64-68 Brighton Road
Worthing
BN11 2EN

CONTACT: Caroline Grist
PHONE: 01444 477333
E-MAIL: caroline.grist@midsussex.gov.uk
REF: DM/25/0856
DATE: 10th September 2025

Dear Sir/Madam

Land To R/O 99 Leylands Road Burgess Hill RH15 8AA
Demolition of existing garage and shed and erection of a single storey 2no bedroom dwelling with associated landscaping, parking for two cars and erection of a new shed.

I advise that your application DM/25/0856 was **Granted Permission** on **10th September 2025**.

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



Ann Biggs
Assistant Director Planning and Sustainable Economy

Watling
Mr Chris Barker
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**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

PERMISSION

REFERENCE: DM/25/0856

DESCRIPTION: DEMOLITION OF EXISTING GARAGE AND SHED AND
ERECTION OF A SINGLE STOREY 2NO BEDROOM DWELLING
WITH ASSOCIATED LANDSCAPING, PARKING FOR TWO CARS
AND ERECTION OF A NEW SHED.

LOCATION: LAND TO R/O, 99 LEYLANDS ROAD, BURGESS HILL, RH15 8AA

DECISION DATE: 10 SEP 2025

CASE OFFICER: CAROLINE GRIST - CAROLINE.GRIST@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 expiration of 3 years from the date of this permission.

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. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed details.

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

4. Prior to the commencement of development, the developer must advise the Local Planning Authority in writing (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance. The building shall not be occupied until all the development has been carried out in accordance with the agreed details.

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

5. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

6. No development shall commence until details for the provision within the site (or other adjacent land within the applicant's control) for the siting of temporary contractor buildings, plant and the storage of materials associated with the development hereby permitted has been submitted to and approved by the Local Planning Authority. The provision shall thereafter be provided prior to the commencement of building works and retained for the duration of the construction.

Reason: To avoid undue congestion of the site, consequent obstruction to access and to protect the amenities of neighbouring properties and to accord with Policy DP21 of the Mid Sussex District Plan 2014 - 2031.

7. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls, roofs and fenestration of the proposed building have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy H2 of the Burgess Hill Neighbourhood Plan.

8. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, full details of a hard and soft landscaping

scheme shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. Details of the boundary treatments shall also be provided. The works shall be carried out in accordance with the approved details, prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. 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 DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy H2 of the Burgess Hill Neighbourhood Plan.

9. If during construction, contamination not previously identified is found to be present at the site then no further development shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the Local Planning Authority. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with Policy DP1 of the Mid Sussex District Plan 2014 - 2031.

10. Prior to the first occupation of the dwelling hereby approved, a scheme shall be submitted to the Local Planning Authority demonstrating that the noise rating level (L_Ar,T_r) of plant and machinery within the build shall be at least 5dB below the background noise level (L_A90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the dwelling is first occupied and thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenity of adjacent and future occupiers and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

11. Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday - Friday: 08:00 - 18:00 Hours

Saturday: 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays: no work permitted

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

12. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways and to accord with Policy DP21 of the District Plan 2014 - 2031 and Policy S4 of the Burgess Hill Neighbourhood Plan.

13. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall be provided prior to the first occupation of the dwelling and shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the District Plan 2014 - 2031.

14. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement or extension to the dwelling house, including additions to its roof and buildings incidental to the enjoyment of the dwelling house within its curtilage, shall be carried out without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site, to protect the amenity of neighbouring dwellings and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy H2 of the Burgess Hill Neighbourhood Plan.

15. Prior to the construction of the dwelling, details of the existing and proposed site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the appearance of the locality or the amenities of adjacent residents and to accord with Policy DP26 of the District Plan 2014 - 2031 and Policy H2 of the Burgess Hill Neighbourhood Plan.

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. The applicant's attention is drawn to the consultation response from Southern Water (dated 16th May 2025), which sets out the requirements of this body in relation to the proposed development.
2. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site.

Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.

3. 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.

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
Location Plan	PL-01	C	28.03.2025
Block Plan	PL-02	F	28.03.2025
Existing Site Plan	PL-03	D	28.03.2025
Proposed Site Plan	PL-04	K	28.03.2025
Proposed Floor Plans	PL-05	F	28.03.2025
Proposed Elevations	PL-06	F	28.03.2025
Proposed Sections	PL-07	E	28.03.2025
Proposed Floor and Elevations Plan	PL-10	B	28.03.2025
Sections	PL-11	B	28.03.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

PEFULZ

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 of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and 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; or
- (ii) an enforcement notice is subsequently 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.

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 planning 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](#).

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 irreplaceable 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.