

## Delegated Decision

### Sign off Sheet

Ref. No:	DM/24/1373	Case Officer:	Caroline Grist
Application Type:	Full Application		
Proposal:	1 x 3-bedroom family dwelling house.		
Site:	Land At Tyler House, Cross Colwood Lane, Bolney, Haywards Heath, West Sussex, RH17 5RX, ,		
Validation Date	2 Feb 2026	Overall Expiry Date:	24 Jul 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Not Proceeded With	Recommendation Date:	2 Feb 2026
Target Date:	30 Mar 2026	Recommendng Officer Signature:	Caroline Grist

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Joanne Fisher	Date:	3 Feb 2026
Comments:			

## MID SUSSEX DISTRICT COUNCIL

**DM/24/1373**

**Land At Tyler House, Cross Colwood Lane, Bolney, Haywards Heath, West Sussex, RH17 5RX,  
1 x 3-bedroom family dwelling house.**

**Mr Duke Harvey**

### **SUMMARY OF REPRSENTATIONS**

No representations have been received in response to this application.

### **SUMMARY OF CONSULTEES**

#### **Highways Authority**

No objection. Conditions recommended.

#### **District Licensing Officer**

No comment.

#### **Drainage Engineer**

Further information requested.

#### **Street Naming and Numbering Officer**

Informative requested.

### **TOWN COUNCIL OBSERVATIONS**

No objection.

### **RELEVANT PLANNING HISTORY**

BK/045/99 - Conversion of existing squash court and swimming pool to four bedroom dwelling with associated parking and garaging. Refused.

00/00446/FUL - Replacement five bedroom dwelling with associated parking. Permission.

01/00113/FUL - Replacement five bedroom dwelling. Permission.

01/01856/FUL - Minor revisions to elevations to approved plans for replacement dwelling BK/01/113/FUL. Permission.

01/01857/FUL - Proposed replacement five bedroom dwelling (approved under BK/01/113/FUL) without complying with conditions 5, 6, 8 and 9. Permission.

04/01005/FUL - Revisions to the alterations of the squash court/swimming pool approved under Condition 7 of BK.01.1856.FUL and BK.01.01857.FUL. Permission.

10/00139/COU - Change of use of existing Squash Court to holiday accommodation. Permission.

12/00700/FUL - Demolition of existing squash court (approved for holiday let 10/00139/COU) and existing covered swimming pool and erection of two holiday lets and garaging on same footprint. Permission.

DM/19/4236 - Demolition of the existing squash court and swimming pool. Erection of two holiday lets and garaging with home office above. Permission.

DM/21/4091 - Proposed holiday let, to replace approved application for two holiday lets (DM/19/4236). Permission.

DM/25/2970 - Change of use from an existing holiday let to a dwellinghouse. Pending determination.

## REPORT

This application sought planning permission to construct one three bedroom family house, in the same position where planning permission had been granted for the construction of a holiday let (DM/21/4091).

Biodiversity Net Gain (BNG) is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. It was identified, during the course of the application, that no information had been provided in relation to BNG. The only reference was within the application form, where it stated that BNG would not be required as the development was subject to the de minimum exemption. The reason stated for this was: '*previous permission resolved with planting*', which does not meet the stated exemption reasons under the Biodiversity Gain Requirement (Exemptions) Regulations 2024.

The agent for the application was made aware of this in July 2024 and an extension of time was later agreed until September 2024, to allow time for this matter to be addressed. In September 2024, as this information had not been provided, it was advised that the application would be made invalid, pending the BNG assessment. No reply was received to this email.

In November 2025, a planning application was received to change the use of the holiday let to a dwellinghouse. This application was made valid in December 2025 and a site visit, for this application, was conducted in January 2026. The site visit confirmed that the holiday let building was essentially complete, with bathroom and kitchen appliances installed and the interior painted and floored.

An email was sent to the agent in January 2026, prior to the site visit, advising that the change of use application had been submitted. This email set out that the 2024 application was still with the Local Planning Authority. It stated that if the BNG assessment was not provided, or an update, by Friday 30th January then the application would be treated as not proceeded with. Following a telephone conversation with the agent, a subsequent email was sent on 23rd January confirming what was required and by when. No reply was received to this email.

Consequently it is recommended that this application is not proceeded with under section (13)(a) of Article 40 of The Town and Country Planning (Development Management Procedure) England) Order 2015, and should be finally disposed of. No further action will be taken and no formal decision will be made on it by the Local Planning Authority.

Decision: Not Proceeded With

Case Officer: Caroline Grist