

Cellnex Connectivity Solutions Limited
c/o Ms Rebecca Skerrett
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11 York Street
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CONTACT: Hamish Evans
PHONE: 01444 477228
E-MAIL: hamish.evans@midsussex.gov.uk
REF: DM/25/1495
DATE: 16th January 2026

Dear Sir/Madam

Land Adj. To Rocky Lane Haywards Heath West Sussex

The installation of a 22.5 metre lattice mast, mounted with 9No. antennas, 12No. cabinets, 1No. Electrical meter cabinet located within a compound comprised of 2.4 metre high chain-link fence topped with 3 strands of barbed wire and the creation of a new access from Rocky Lane and ancillary development thereto.

I advise that your application DM/25/1495 was **Granted Permission** on **16th January 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



Ann Biggs
Assistant Director Planning and Sustainable Economy

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

PERMISSION

REFERENCE: DM/25/1495

DESCRIPTION: THE INSTALLATION OF A 22.5 METRE LATTICE MAST, MOUNTED WITH 9NO. ANTENNAS, 12NO. CABINETS, 1NO. ELECTRICAL METER CABINET LOCATED WITHIN A COMPOUND COMPRISED OF 2.4 METRE HIGH CHAIN-LINK FENCE TOPPED WITH 3 STRANDS OF BARBED WIRE AND THE CREATION OF A NEW ACCESS FROM ROCKY LANE AND ANCILLARY DEVELOPMENT THERETO.

LOCATION: LAND ADJ. TO , ROCKY LANE, HAYWARDS HEATH, WEST SUSSEX

DECISION DATE: 16 JAN 2026

CASE OFFICER: HAMISH EVANS - HAMISH.EVANS@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. 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 area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

4. Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include amongst other matters details of: the anticipated number, frequency and types of vehicles used during construction, the method of access and routing of vehicles during construction, the parking of vehicles by site operatives and visitors, the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development, the erection and maintenance of security hoarding, the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders) and details of public engagement both prior to and during construction works. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and the amenities of the area in accordance with policies DP21 and DP26 of the Mid Sussex District Plan 2014-2031.

5. No use of the access shall take place until such time that the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "JUNCTION DESIGN PROPOSED" and numbered "S5-11-00-004-MD004 Rev. 4".

Reason: In the interests of road safety and to accord with policy DP21 of the Mid Sussex District Plan.

6. No use of the access shall take place until such time that visibility splays of 2.4 metres by 120 metres to the north and 2.4 metres by 34.5 metres to the south have been provided at the proposed site vehicular access onto Rocky Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to accord with policy DP21 of the Mid Sussex District Plan.

7. The works shall be carried out in accordance with the recommendations within the Tree Survey and Arboricultural Impact Assessment which were submitted on the 09.06.2025.

Reason: To ensure the works are carried out to a satisfactory standard, to protect the existing trees on the site and to accord with policy DP37 of the Mid Sussex District Plan.

8. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Adapt Environmental Ltd, November 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), s40 of the NERC Act 2006 (as amended) and to accord with policy DP38 of the Mid Sussex District Plan.

9. All development hereby permitted must be removed from the site, and the land returned to arable use within 6 months of the proposal no longer being required.

Reasons: To protect the appearance of the area and to accord with Policy DP12 of the Mid Sussex District Plan 2014 - 2031.

Biodiversity Net Gain

1. This permission is considered to be one which **will require the approval of a biodiversity gain plan before development is begun** (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

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

Informatives

1. 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:
 - Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
 - 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.
2. The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed left turn only. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.
3. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Highway Agreements Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

4. There is a low risk that great crested newts (GCN) may be present at the application site. Mid Sussex District Council considers it to be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies in the red impact zone as per the modelled district licence map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Therefore, anyone undertaking this development should be aware that GCN and their resting places are protected at all times by The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation or substitute the need to obtain a protected species licence if an offence is likely. If a GCN is discovered during site preparation, enabling or licence if an offence is likely.

The following recommendations are provided to further reduce the likelihood of impacts on this species:

- o Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped.
- o Any building materials such as bricks, stone etc. should be stored on pallets to discourage GCN from using them as shelter.
- o Any demolition materials should be stored in skips or similar containers rather than in piles on ground.

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
Existing Site Plan	S5-11-00-000-MD004	4	09.06.2025
Proposed Site Plan	S5-11-00-001-MD004	4	09.06.2025
Existing Elevations	S5-11-00-002-MD004	4	09.06.2025
Proposed Elevations	S5-11-00-003-MD004	4	09.06.2025
Access Plan	S5-11-00-004-MD004	4	09.06.2025
Access Plan	8371-HJCE-XX-00-DR-C-4005	P01	08.07.2025
Visibility Plans	8371-HJCE-XX-00-DR-C-4004	P02	08.07.2025

A handwritten signature in black ink, appearing to read 'ABiggs'.

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 (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

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.