

26 March 2026

Anna Tidey
Mid Sussex District Council
Oaklands Rd,
Haywards Heath
RH16 1SS

SL/Let/P2124ii

Dear Anna,

Discharge of Condition Application for the Discharge of Conditions 3, 5, 6 and 7 pursuant to application reference DM/24/0846 and APP/D3830/W/25/3363187 for the Erection of 2no. residential dwellings with associated landscaping parking and the retention of existing access at Land adjacent to Higlay Cottage, Birchwood Grove Road, Burgess Hill RH15 0DL.

This application has been submitted online via the Planning Portal under **PP-14772509** and includes the application form, relevant documentation, and this covering letter.

The accompanying information has been submitted to satisfy the discharge of Conditions 3, 5, 6 and 7 pursuant to application reference **DM/24/0846** which was allowed at Appeal reference **APP/D3830/W/25/3363187** on 16 September 2025 for the aforementioned development.

Condition 3 – Biodiversity Net Gain

The wording for the condition is as follows.

No development shall take place until a Habitat Management and Monitoring Plan, in line with the approved Biodiversity Gain Plan, has been submitted to the Local Planning Authority and approved in writing. The content of the Habitat Management and Monitoring Plan should include the following:

A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

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A management and monitoring plan for all offsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be implemented in full accordance with the requirements of the approved Habitat Management and Monitoring Plan, with monitoring reports submitted to the council at the specified intervals.

This application is accompanied by the following document which has been submitted in support of this condition discharge:

- B-MSUS2605-EB-BPC- v00.05 - Purchase Certificate - 19032026 0120pm
- B-MSUS2605-MST-_Hilgay-Cottage-Burgess
Hill_The_Statutory_Biodiversity_Metric_Calculation_Tool-V2-7ab40f - EB Complete
- 6791E_Hilgay Cottage, Burgess Hill_Biodiversity_Gain_Plan

We trust the accompanying document is sufficient to discharge Condition 3 in full.

The information submitted has been prepared in accordance with the approach agreed with Anna Tidey, Planning Officer at Mid Sussex District Council, as set out in her email dated 3 November 2025. In this correspondence, it was confirmed that a pragmatic approach to discharging the condition would be acceptable given the limited on-site biodiversity opportunities associated with the development, and that the submission of a Biodiversity Gain Plan together with details of the off-site biodiversity units/credits secured would be sufficient to satisfy the requirements of the condition.

Condition 5 – Surfacing Materials

The wording for the condition is as follows.

The development shall not progress above the damp proof course of the new houses until details of the proposed surfacing materials for the driveway and parking spaces have been submitted to and approved in writing by the Local Planning Authority. The driveway and parking spaces shall not be brought into use until they are constructed in accordance with the approved details.

This application is accompanied by the following document which has been submitted in support of this condition discharge:

- 2403090-0501-P03 (Drainage Strategy)
- R01-1rhbu2-Drainage Details-09.03.2026 FINAL B
- PJC.1520.001 Rev C Landscape General Arrangement Plan

We trust the accompanying document is sufficient to discharge Condition 5 in full.

Condition 6 – Landscaping

The wording for the condition is as follows.

Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the 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.

This application is accompanied by the following document which has been submitted in support of this condition discharge:

- PJC.1520.001 Rev C Landscape General Arrangement Plan
- PJC.1520.002 Rev C Soft Landscape Detailed Planting Plan
- PJC.1520.003 Rev A Soft Landscape Specification inc. implementation schedule
- PJC.1520.004 Landscape Maintenance & Management Plan

Whilst this condition does not require formal discharge, we have provided the relevant landscaping details for the Local Planning Authority's information.

Condition 7 – Surface and Foul Water Drainage

The wording for the condition is as follows.

The development shall not progress above the damp proof course of the new houses 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 details shall include a timetable for implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

This application is accompanied by the following document which has been submitted in support of this condition discharge:

- 2403090-0501-P03 (Drainage Strategy)
- R01-1rhbu2-Drainage Details-09.03.2026 FINAL B

We trust the accompanying document is sufficient to discharge Condition 7 in full.

Conclusion

We trust that this letter and the accompanying documentation are sufficient to fully discharge Conditions 3, 5, 6 and 7 as listed above, pursuant to application reference DM/24/0846, which was allowed at appeal under reference APP/D3830/W/25/3363187, relating to the erection of 2 no. residential dwellings with associated landscaping, parking and the retention of existing access at Land adjacent to Higlay Cottage, Birchwood Grove Road, Burgess Hill, RH15 0DL.

We look forward to receiving written confirmation of the discharge of this condition in the very near future.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning

