

Brett Moore

From: Hamish Evans <Hamish.Evans@midsussex.gov.uk>
Sent: 29 February 2024 11:57
To: Matt Cornford
Subject: DM/24/0482 Multi Use Room Age UK Centre Lamb House 2 Kleinwort Close
Haywards Heath West Sussex RH16 4XG
Attachments: DM200807_010093412688_DCDECN_23062020.PDF

Dear Matt,

Thank you for your enquiry from the information available to me it is my informal opinion that using the above site as a children's day nursery would not require formal planning permission. The hours of use that you have proposed are in compliance with the hours of use conditioned under DM/20/0807 which would need to be adhered to. I have attached the decision notice which includes these condition hours of use.

The above represents my informal view only based on the information contained in your enquiry. Should you require a formal determination as to whether planning permission is required for your proposal then it is open to you to make an application to this authority for a Certificate of Lawful Development, under Section 192 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.

I hope the above is of use to you.

The information contained in this letter may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this advice to a third party making a request for information about the subject matter.

Thank you,
Kind regards,

Hamish Evans
Planning Officer
Direct Line: 01444 477228
hamish.evans@midsussex.gov.uk
www.midsussex.gov.uk
Working Together for a Better Mid Sussex

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling +44 (0) 1444 458 166 and remove this email and its attachments from your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.

Mrs Rowan Hillier
Mr Tim Warran-Smith
Ark Design Build Ltd
31 Hectorage Road
Tonbridge
TN9 2DH

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

PERMISSION

REFERENCE: DM/20/0807

DESCRIPTION: CREATE A MULTI USE BUILDING WITH DECK AREA AND A PATH LEADING TO LAMB HOUSE (AMENDED SITE PLAN RECEIVED 06/04/2020).

LOCATION: AGE UK CENTRE, LAMB HOUSE, 2 KLEINWORT CLOSE, HAYWARDS HEATH

DECISION DATE: 23 JUN 2020

CASE OFFICER: SUSAN DUBBERLEY -
SUSAN.DUBBERLEY@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:-

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. No development shall be carried out until a schedule and/or samples of materials and finishes to be used for external walls, windows and roof of the proposed buildings have been submitted to and approved by the Local Planning Authority.

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 District Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below:

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

4. No development shall be carried out above ground slab level unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which 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 and these works shall be carried out as approved.

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 the 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.

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.

5. Works of construction or demolition, including the use of plant and machinery, 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 amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan.

6. The classroom/ multi use building hereby approved shall only be in use during the following hours:

08:00 - 21:00 Monday - Friday
09:00 - 18:00 Saturdays and Sundays

The outside areas shall only be in use during the following hours:

08:00 - 18:00 Monday - Friday
09:00 - 16:00 Saturdays and Sundays

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

INFORMATIVES

1. No burning of demolition/construction waste materials shall take place on site.
2. 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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
Existing Block Plan	-	-	06.04.2020
Proposed Block Plan	-	-	06.04.2020
Drainage Details	-	-	01.05.2020
Location Plan	-	-	06.04.2020
Proposed Floor Plans	-	-	25.02.2020
Proposed Elevations			25.02.2020



Divisional Leader for Planning and Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

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.

As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** 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](#).

