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CONTACT: Hamish Evans
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E-MAIL: hamish.evans@midsussex.gov.uk
REF: DM/25/0193
DATE: 14th May 2025

Dear Sir/Madam

Gilridge Brighton Road Handcross Haywards Heath
Modification of existing chalet bungalow, demolition of outbuildings. Erection of a 3 bed detached bungalow to include associated parking spaces and a new access driveway.

I advise that your application DM/25/0193 was **Granted Permission** on **14th May 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

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Mr Alex Beattie
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**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

PERMISSION

REFERENCE: DM/25/0193

DESCRIPTION: MODIFICATION OF EXISTING CHALET BUNGALOW,
DEMOLITION OF OUTBUILDINGS. ERECTION OF A 3 BED
DETACHED BUNGALOW TO INCLUDE ASSOCIATED PARKING
SPACES AND A NEW ACCESS DRIVEWAY.

LOCATION: GILRIDGE, BRIGHTON ROAD, HANDCROSS, HAYWARDS
HEATH

DECISION DATE: 14 MAY 2025

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. **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. 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 building and the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

4. Prior to the commencement of development a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To 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.

5. 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. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its 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. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

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

6. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access and to accord with Policy DP21 of the Mid Sussex District Plan (2014 - 2031).

7. Prior to commencement, exceedance flow route plan drawings showing no overland flow from the development to the National Highways boundary should be provided to the LPA, and approved in consultation with National Highways.

Reason: to maintain the operation and safety of the SRN and to accord with Policy DP21 of the Mid Sussex District Plan (2014 - 2031).

8. Prior to commencement, a drawing showing the cross-section through the A23 road boundary (low point) to the development site should be provided to the LPA, and approved in consultation with National Highways.

Reason: to maintain the operation and safety of the SRN and to accord with Policy DP21 of the Mid Sussex District Plan (2014 - 2031).

9. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and to accord with Policy DP21 of the Mid Sussex District Plan (2014 - 2031).

10. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved Proposed Site Plan_23/114/sk10 Rev G. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and to accord with Policy DP21 of the Mid Sussex District Plan (2014 - 2031).

11. 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 by the Local Planning Authority.

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 Mid Sussex District Plan (2014 - 2031).

12. The development hereby permitted shall be occupied until the refuse/recycling storage facilities have been provided in accordance with the approved plans and thereafter retained.

Reason: In the interests of the amenities of the area, to comply with Policy DP26 of the Mid Sussex District Plan.

13. The development shall not be occupied until the sustainability measures set out in the accompanying Sustainability Statement have been implemented in full.

Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031 and Policy 2 of the Neighbourhood Plan.

14. Glazing and trickle vents must be installed in accordance with or exceeding the requirements outlined in the Planning Noise Impact Assessment by Anderson Acoustics, dated July 2024, ref: 7195_001R_5-0_CB.docx, unless otherwise agreed upon with the local planning authority.

Reason: To protect the amenity of residents and to accord with DP26 and DP29 of the Mid Sussex District Plan (2014 - 2031).

15. The 2.7-meter high acoustic barrier specified in the Planning Noise Impact Assessment by Anderson Acoustics, dated July 2024, ref: 7195_001R_5-0_CB.docx must be installed prior to the occupation of the properties, unless otherwise agreed upon with the local planning authority.

Reason: to protect the amenity of residents and to accord with DP26 and DP29 of the Mid Sussex District Plan (2014 - 2031)

16. Unless otherwise agreed upon with the local planning authority, an overheating assessment must be conducted to determine whether alternative means of ventilation are necessary for the proposed dwelling prior to occupation.

If mechanical ventilation is required, details of the mechanical ventilation system must be provided, including a noise impact assessment for the mechanical ventilation.

Reason: to protect the amenity of local residents and to accord with DP26 and DP29 of the Mid Sussex District Plan (2014 - 2031)

17. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk, and proposing remediation measures, together with a program, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved program. 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 LPA. If unexpected contamination is encountered during development works, on completion of works, and prior to occupation, the agreed information, results of the investigation, and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord Policy DP41 of the Mid Sussex District Plan.

18. The development hereby approved shall be carried out in accordance with the biodiversity enhancement measures as set out within the submitted Planning Statement.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) and to accord with DP38 of the District Plan (2014 - 2031).

19. The development hereby approved shall be carried out in accordance with the proposed landscaping plan (23/114/SK13 Rev. C) The works shall be carried out 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 Policies DP26 and DP35 of the Mid Sussex District Plan and Policy 4 of the Neighbourhood Plan.

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. 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.

3. Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

4. 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

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 and Block Plan	23/114/LOC	E	24.01.2025
Existing Site Plan	23/114/site	A	24.01.2025
Existing Floor Plans	23/114/sk01	A	24.01.2025
Existing Elevations	23/114/sk02	A	24.01.2025
Existing Roof Plan	23/114/sk03	A	24.01.2025
Existing Elevations	23/114/sk04	A	24.01.2025
Proposed Floor Plans	23/114/sk05	E	24.01.2025
Proposed Roof Plan	23/114/sk06	E	24.01.2025
Proposed Elevations	23/114/sk07	D	24.01.2025
Proposed Floor Plans	23/114/sk08	G	24.01.2025
Proposed Elevations	23/114/sk09	G	24.01.2025
Proposed Site Plan	23/114/SK10	G	24.01.2025
Proposed Elevations	23/114/sk11	E	24.01.2025
Drainage Details	23/114/SK12	C	24.01.2025
Landscaping Details	23/114/SK13	C	24.01.2025
Other	23/114/SK14	A	24.01.2025
Access Plan	23/114/SK15	A	24.01.2025
Proposed Elevations	23/114/sk16	F	24.01.2025
Noise Impact Assessment/Sound	7195_001R_3-0_WR	-	24.01.2025
Design and Access Statement	23.114	C	24.01.2025
Photographs	-	-	24.01.2025
Planning Statement	-	-	24.01.2025



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

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.