

Mrs Bullivant And Mr Nayfeld
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**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

APPLICATION FOR DISCHARGE OF PLANNING CONDITION

REFERENCE: DM/25/1535

DESCRIPTION: DISCHARGE OF CONDITIONS, 4,10,11 AND 13 RELATING TO DM/25/0310.

LOCATION: TWINHAM, 34 HURST ROAD, HASSOCKS, WEST SUSSEX

DECISION DATE: 7 OCT 2025

CASE OFFICER: JOANNE FISHER - JOANNE.FISHER@MIDSUSSEX.GOV.UK

I refer to your application for approval of details reserved by condition received 12th June 2025.

The Authority has considered your application, and I can confirm the following:-

Conditions:

11. The submitted Site Layout Plan - Proposed External Lighting Dwg No. 07 (Belmont Designs, December 2024) and Proposed Elevations and Details - Proposed External Lighting Dwg No. 08 (Belmont Designs, December 2024) in respect of the lighting design scheme for biodiversity is considered acceptable. I hereby approve the details in respect of condition 11 attached to planning reference DM/25/1535.

Unfortunately I am unable to formally discharge the following condition(s) for the reason(s) below:

4. The Councils Drainage Engineer has provided the following comments in respect of condition 4 and the further information received on the 5th of September:

'It is proposed for surface water to discharge via an attenuation tank, a rain garden and permeable surfacing.'

Further infiltration testing has been carried out at a shallower depth. However, no repeats have been provided, in line with BRE365. The infiltration testing should also be carried out at the same invert level as the base of the proposed infiltration feature.

A CV value of 1 has not utilised within all network calculations. A range of run times and storm durations should also be presented for the network calculations.

Evidence should be provided that the rain garden has a half drain time of less 24 hours when the attenuation tank is discharging into it.

The network calculations also include an orifice plate flow control on the rain garden. Further details regarding this should be provided.

Upon receipt of this additional information, we will be able to comment further. Receipt of the requested additional information does not mean further information will not be requested. It may also be necessary to re consult with Southern Water.'

In light of the above, I am currently **unable** to discharge condition 4 attached to planning reference DM/25/0310.

I would appreciate your attention to the above matter, please submit the outstanding requirements as soon as possible, in order that this matter can be given further consideration.



Ann Biggs
Assistant Director Planning and Sustainable Economy

SPDCOZ

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 for the Environment under Section 78 of the Town and Country Planning Act 1990.

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 12 weeks in the case of a householder appeal of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so using a form which you can get from The Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.