

C/o Agent
Ms Hannah McLaughlin
DHA Planning
Astral Towers
Betts Way
Crawley
West Sussex
RH10 9XA

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

APPLICATION FOR DISCHARGE OF PLANNING CONDITION

REFERENCE: DM/24/2971

DESCRIPTION: DISCHARGE OF CONDITIONS 3, 4, 5, 8 AND 9 RELATING TO PLANNING APPLICATION DM/23/1400

LOCATION: BROOK STREET GARAGE, BROOK STREET GARAGE, FORGE WORKS, SPARKS LANE

DECISION DATE: 25 MAR 2025

CASE OFFICER: ANDREW WATT - ANDY.WATT@MIDSUSSEX.GOV.UK

I refer to your application for approval of details reserved by condition received 4th December 2024.

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

Conditions:

5. The details set out in the covering letter by DHA dated 4 December 2024 are **approved.**
8. The details shown in the Barn Owl Nest Box specification and Sparrow Terrace Nest Box specification and in the covering letter by DHA dated 4 December 2024 are **approved.**
9. The details shown in the Horizontal Illuminance (lux) Revision P0X (DFL, November 2024), Lighting Layout Drawing Number 3691-DFL-ELG-XX-DR-EO-13001 Revision P01 (DHA, November 2024), Outdoor Lighting Report (DFL, November 2024) and in the covering letter by DHA dated 4 December 2024 are **approved.**

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

3. On 18 February, I emailed you further comments from the Council's Conservation Officer following receipt of further information, as follows:

'We now have a photograph of the proposed corrugated steel cladding for the external walls and roof of the new unit, and confirmation of the colour. However, as far as I can see we still do not have a manufacturer's name or product range. This information, which has been requested previously, is necessary so that it can be specified on the decision letter. Subject to this, I have no objection to the material as shown.'

I look forward to your response in due course and accordingly this condition cannot yet be discharged.

4. On 6 February, I emailed you further comments from our Drainage Consultant following receipt of further information, as follows:

'The Flood Risk and Drainage Team have reviewed the additional information received. Insufficient information has been submitted to demonstrate consideration towards sustainable drainage and water quality/ pollution risk as this development it is considered new build in terms of drainage potential.

The applicant is advised to revert to our original comments dated 23/01/25.'

I look forward to your response in due course and accordingly this condition cannot yet be discharged.

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.