

14 May 2026

Planning Department
Mid Sussex District Council
Oaklands Road
Haywards Heath
RH16 1SS

HJ/Let

Dear Ms Williams,

Application for Non-Material Amendments under Section 96a to permission under reference DM/23/0926 to amend condition 5 (drainage) at Little Winton, Keymer Road, Burgess Hill.

We are writing to you on behalf of the applicant, Earlswood Homes, to request amendments to under Section 96a to permission under reference DM/23/0926, which received approval on 31 May 2023.

The approved decision notice DM/23/0926 included the following condition relating to drainage:

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 District Plan (2014 - 2031).

The applicants are trying to discharge Pre Commencement planning condition (5 drainage) to allow lawful implementation of the above permission. This expires on 23 May 2026 so is a matter of urgency. All other Pre Commencement conditions are discharged. The Council's third party drainage consultants objected to the original submission of details although additional details have now been resubmitted by the applicant and are subject to reconsultation.

We request that the Council agree to amend the wording of condition 5 to insert '***aside from demolition***' into the text, thereby allowing demolition to take place ahead of other works and implement the permission.

The revised condition would read:

'5. The development hereby permitted, ***other than demolition***, shall not commence unless and until details of the proposed foul and surface water drainage...'

This is considered to represent a non-material amendment under Section 96a to permission under reference DM/23/0926 to facilitate the implementation of this development and avoid the permission unnecessarily lapsing.

We trust that these amendments will be considered non-material in nature and that this application will be processed in good time.

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

Yours sincerely
ECE Planning

