

Mr Steve Wood
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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/25/2391

**DESCRIPTION: DISCHARGE OF PLANNING CONDITIONS NO 4 AND 5
RELATING TO PLANNING APPLICATION DM/22/3087**

**LOCATION: 2 THE SPINNEY, EASTERN ROAD, HAYWARDS HEATH, WEST
SUSSEX**

DECISION DATE: 4 NOV 2025

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

I refer to your application for approval of details reserved by condition received 22nd September 2025.

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

Conditions:

4. The submitted materials schedule (Doc ref Mats 1) received 22nd September is considered acceptable. I hereby discharge condition 4 attached to planning reference DM/22/3087.

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

5. The submitted Construction Management Plan details that access to the site would be through the existing access road but also from the side access of 35 Eastern Road. The storage of plant and materials has also been identified to be at 35 Eastern Road which adjoins the site to the south-east. This was not shown to be within the red or blue line of the application site showing ownership of this neighbouring property. Confirmation needs to be provided that 35 Eastern Road is owned by the developer / agreement has been provided on the use of this land.

The submitted plan shows the location of various elements as approximate circles. Each of these areas need to be clearly shown and demarcated to scale and the location of the wheel washing needs to also be identified. In addition, whilst the document advises that deliveries, loading and unloading will be arranged outside the busy period for school drop offs and pick-ups no detailed times have been identified. Details need to also be provided on the plan of the exact location of the site hoarding and gates around the site and the heights / materials of these.

Condition 5 also requires details of the following which has not been included within your submitted document:

'b) the method of access and routing of vehicles during construction,

f) details of both construction working hours and construction delivery times'

Please can this information also be provided. In respect of point b this needs to include how vehicles will access and exit Eastern Road and the network to come to the site.

In light of the above I am currently **unable** to discharge condition 5 attached to planning reference DM/22/3087.

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.