

IN THE MATTER OF THE STATUORY DECLARTIONS ACT 1835

AND IN THE MATTER OF

Rookwood Tylers Green Cuckfield Haywards Heath West Sussex RH17 5DZ ("The Property")

I, John Marland of Lower Jacobs Farm, Brede Lane, Sedlescombe, Battle TN33 0PN do solemnly and sincerely declare as follows:

1. I make this statutory declaration from facts within my own knowledge except where otherwise stated. Where information has been passed to me by any person then I identify the source of my information and verily believe it to be true.
2. I have particular knowledge to make this statutory declaration as the Owner of the of the Property.

Property

3. The Property is under the ownership of myself and Susan Marland of Lower Jacobs Farm, Brede Lane, Sedlescombe, Battle TN33 0PN. ("The Owners")
4. I purchased the freehold of the property in 2010.

Planning History

5. During the course of my ownership we applied for the following relevant planning permission with reference DM/20/2661 for the demolition of existing building (comprising 2 x existing dwellings, following approval of lawful development certificate DM/21/1367) and garage, and replacement with 2 x 4-bed detached dwellings with garaging ("The Planning Permission ") was submitted to Mid Sussex District Council ("The Council"). The Planning Permission was approved by the Council on 29 September 2021.
6. The Planning Permission needed to be implemented 3 years from the date of the Planning Permission which would be 28 September 2024 and a copy of the decision notice is appended at Exhibit JM1.
7. As part of the commencement of development demolition works were required on the site. I instructed a company Best Demolition Limited to undertake the works. The Council issued a notice in accordance with the Building Act 1984 (Section 81) on the 28 October 2022 notifying Best Demolition Limited that the Council are satisfied demolition works are intended at the Property. This notice is appended at Exhibit JM5.

8. I can confirm that these demolition works began on the Property on the 8th of November 2022 and were completed on the 24th of November 2022. I have email confirmation of the dates works were commenced and completed from Jo Hodgson the Office manager for Best Demolition appended at Exhibit JM2.
9. I have also appended the invoice paid to Best Demolition Limited at Exhibit JM3 as well as photographs which show the Property both before and after the demolition works have taken place (Exhibit JM4). I can confirm that all works of demolition were commenced and completed within the timeframe for implementation of the development.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declaration Act 1835.

Signature of declarant ...

Print full name

Declared before me

Signature

Commissioner for oaths

Declared at

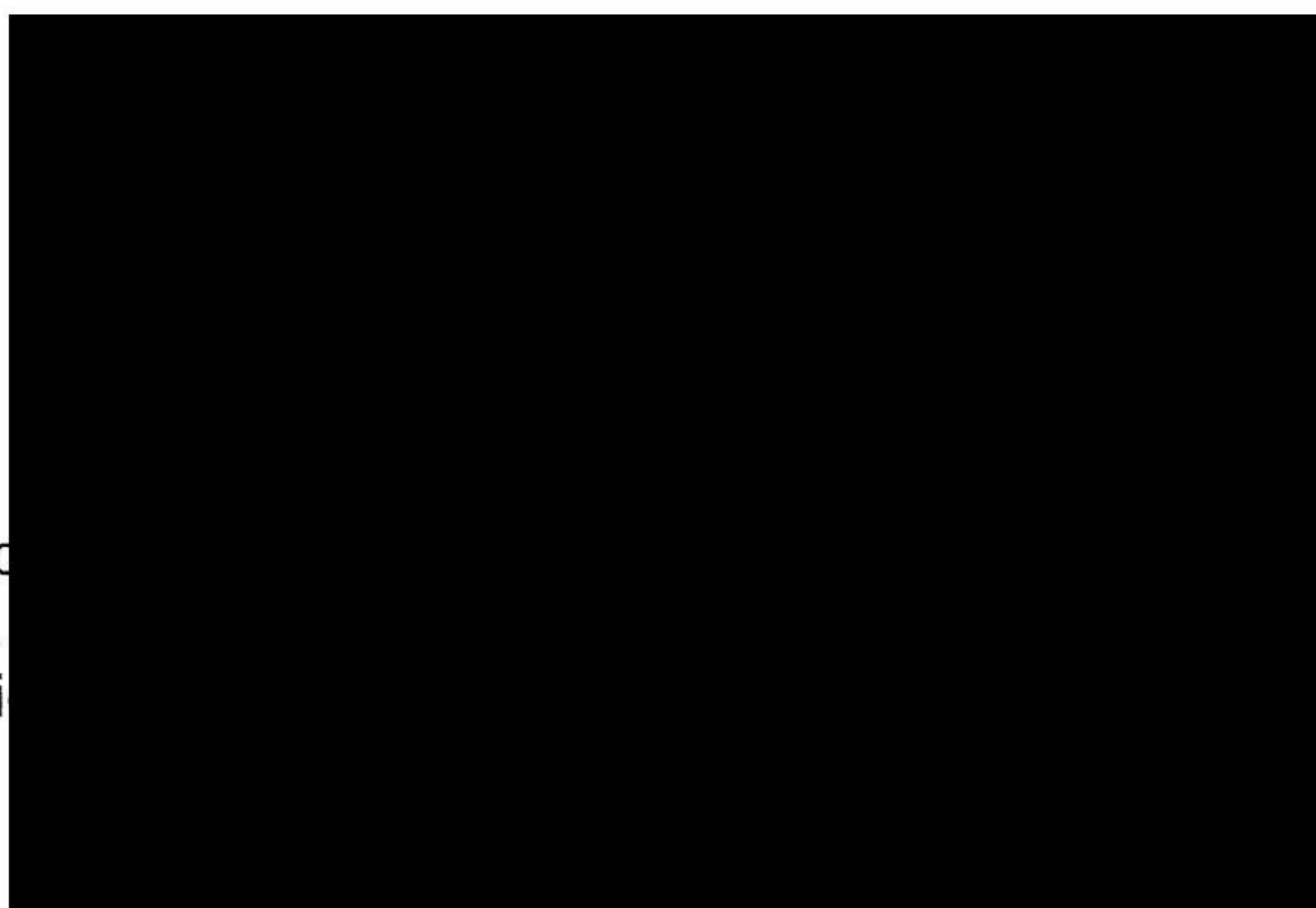
Gaby Hardwicke
34 Wellington Square
Hastings
East Sussex
TN34 1PN

Date

10 December 2024

This is the Exhibit marked "Exhibit JM1 " referred to in the Statutory Declaration of

Swc
.....
Soli



Mr And Mrs Marland
Mr Tim Rodway
Rodway Planning Consultancy Limited
293 Upper Shoreham Road
Shoreham By Sea
West Sussex
BN43 5QA

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

PERMISSION

REFERENCE: DM/20/2661

DESCRIPTION: DEMOLITION OF EXISTING BUILDING (COMPRISING 2 X EXISTING DWELLINGS, FOLLOWING APPROVAL OF LAWFUL DEVELOPMENT CERTIFICATE DM/21/1367) AND GARAGE, AND REPLACEMENT WITH 2 X 4-BED DETACHED DWELLINGS WITH GARAGING

LOCATION: ROOKWOOD, TYLERS GREEN, CUCKFIELD, HAYWARDS HEATH

DECISION DATE: 29 SEP 2021

CASE OFFICER: KATHERINE WILLIAMS -
KATHERINE.WILLIAMS@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:-

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 development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with policy DP26 of the Mid Sussex District Plan.

4. No development shall take place unless and until there full details of both hard and soft landscaping, including details of new boundary treatments, has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 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 part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site and floor plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with DP21 of the Mid Sussex District Plan.

7. 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 in accordance and with DP21 of the Mid Sussex District Plan.

8. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies and with DP21 of the Mid Sussex District Plan.

9. Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the 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 DP37 of the District Plan.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwellinghouse, whether or not consisting of an addition or alteration to its roof, nor any other alteration to its roof, shall be carried out, nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling house without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent the overdevelopment of the site and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

11. The recommendations set out in the Preliminary Ecological Assessment by the Ecology Co-op (June 2020) and the Bat Survey Report by the Ecology Co-op (June 2020) shall be implemented in full unless otherwise agreed in writing by the local planning authority.

In addition, 15cmx 15 cm holes shall be cut, at ground level, into the fencing along the southern, eastern and western boundaries to allow the passage of small mammals, such as hedgehogs, across the site.

Reason: to protect the ecological value of the site and to accord with policy DP38 of the Mid Sussex District Plan and para 174 of the NPPF.

12. 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 programme, 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 programme. 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 investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

Reason: In the interests of health of future occupiers and to accord with Policy DP41 of the Mid Sussex District Plan 2014 - 2031 and paragraph 183 of the National Planning Policy Framework.

13. The works shall be carried out in accordance with the protection measures set out within the Amended Arboricultural Report submitted on 24th September 2021.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area and to accord with Policy DP37 of the Mid Sussex District Plan 2014 - 2031

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. 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 www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.

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 Plan	0001		23.07.2020
Location Plan	0002		23.07.2020
Existing Site Plan	0004		23.07.2020

Existing Site Plan	0003		23.07.2020
Existing Site Plan	0005		23.07.2020
Proposed Roof Plan	1007	E	15.07.2021
Proposed Floor Plans	1006	E	15.07.2021
Proposed Site Plan	1001	E	15.07.2021
Proposed Elevations	1009	E	15.07.2021
Proposed Elevations	1008	E	15.07.2021
Proposed Site Plan	1000	E	15.07.2021
Sections	1012	E	15.07.2021
Sections	1011	E	15.07.2021
Sections	1010	E	15.07.2021
Existing Floor and Elevations Plan	1014		03.08.2020

SA Bonfield

Divisional Leader for Planning and Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

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](#).

This is the Exhibit marked "Exhibit JM2 " referred to in the Statutory Declaration of



John Marland

From: Jo Hodgson <jo@bestdemolition.co.uk>
Sent: 15 November 2024 09:56
To: [REDACTED]
Subject: Rookwood
Attachments: BEST DEMOLITION LTD Statement.pdf

Good morning John

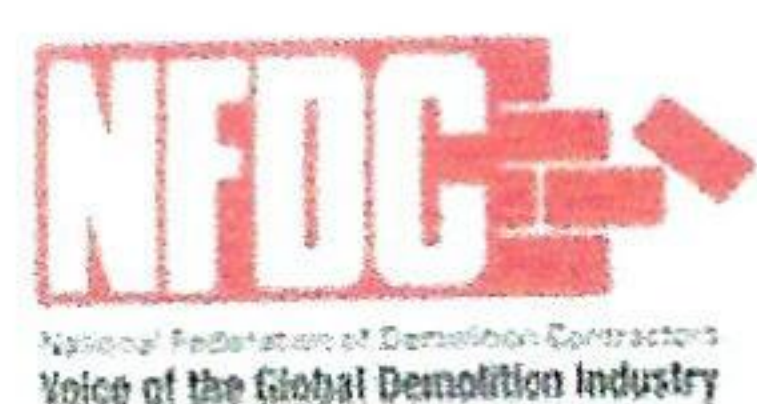
I can confirm that works to demolish Rookwood, Tylers Green, Cuckfield, RH17 5DZ commenced on 8th November 2022 and were completed on 24th November 2022. All monies have been paid as per the attached statement and the account is clear.

Kind regards



Jo Hodgson
Office Manager
Harcourt Lodge Buildings
Burwash Road
Heathfield
East Sussex
TN21 8RA

☎ 01435 862381
✉ jo@bestdemolition.co.uk
🌐 www.bestdemolition.co.uk
Company No. 05466610



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BEST DEMOLITION LTD
HARCOURT LODGE BUILDINGS
BURWASH ROAD
HEATHFIELD
EAST SUSSEX
TN21 8RA
Tel : 01435 862381
Email : accounts@bestdemolition.co.uk

MR JOHN MARLAND
LOWER JACOBS FARM
BREDE LANE
SEDLSCOMBE
BATTLE
TN33 0PN

STATEMENT

Date	15/11/2024
Account Ref	MAR001

All values are shown in Pound Sterling

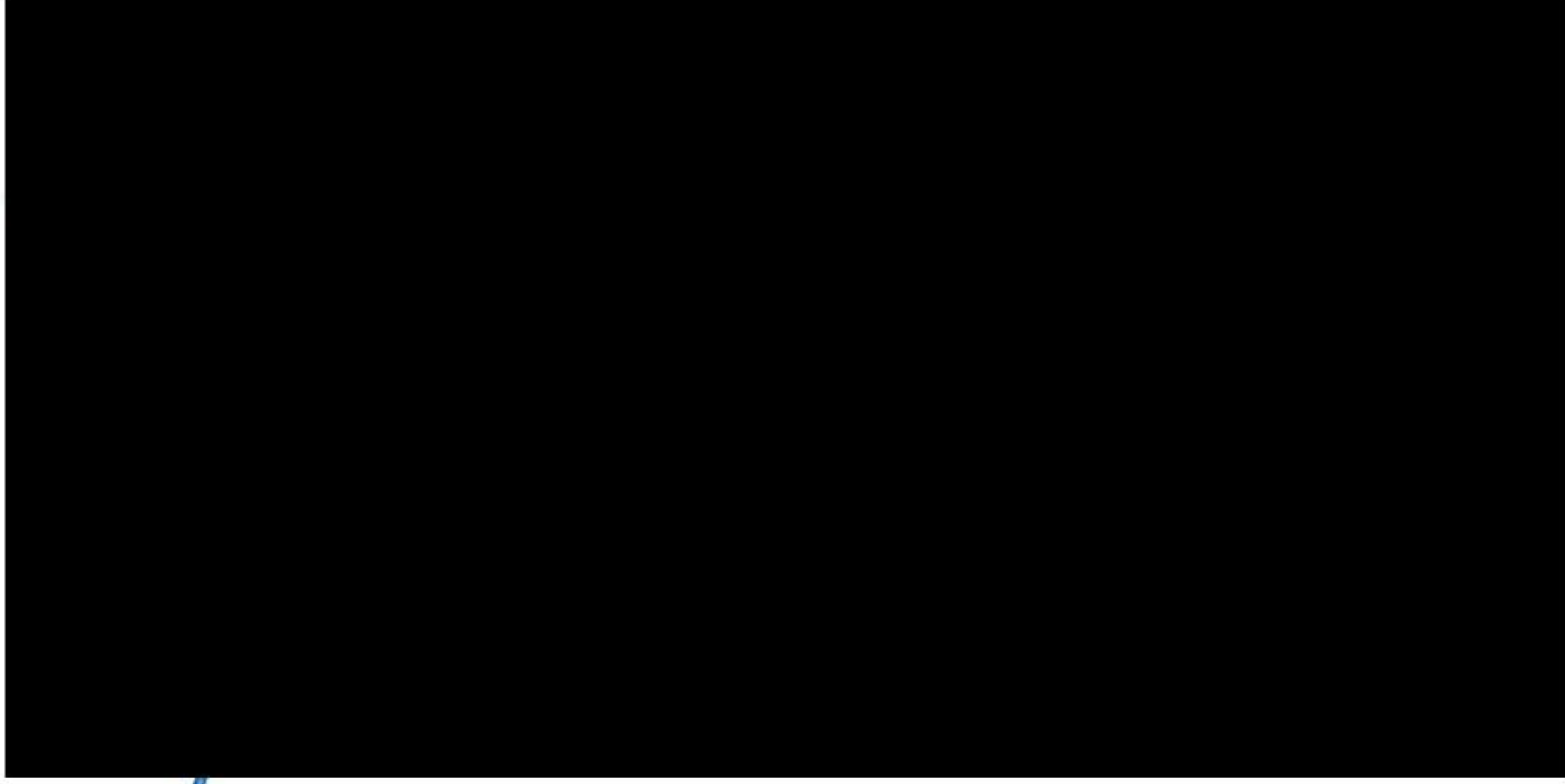
Date	Ref	Details	Debit	Credit	Balance
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Current	Period 1	Period 2	Period 3	Older
£ 0.00	£ 0.00	£ 0.00	£ 0.00	£ 0.00

Amount Due
£ 0.00

This is the Exhibit marked "Exhibit JM3 " referred to in the Statutory Declaration of



1989

BEST DEMOLITION LTD
HARCOURT LODGE BUILDINGS
BURWASH ROAD
HEATHFIELD
EAST SUSSEX
TN21 8RA
Tel: 01435 862381
Email: accounts@bestdemolition.co.uk
VAT Reg No: 862 8690 82



INVOICE Page 1

MR JOHN MARLAND
LOWER JACOBS FARM
BREDE LANE
SEDLSCOMBE
BATTLE
TN33 0PN

Invoice No	102728
Invoice Date	28/11/2022
Order No	
Account Ref	MAR001

Quantity	Description	Unit Price	Disc Amt	Net Amt	VAT %	VAT
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[Redacted Table Content]						
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[Redacted Box]

[Redacted Box]

Payment Due: 12/12/2022

Payment can be made to our bank

[Redacted Box]

This is the Exhibit marked "Exhibit JM4 " referred to in the Statutory Declaration of

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Solid

John Marland

From: Julie Hodd <julie@bestdemolition.co.uk>
Sent: 07 December 2022 12:21
To: [REDACTED]
Cc: Kevin Fry
Subject: Demolition photos of Rookwood
Attachments: Photos of Demolition.docx

Good afternoon

Please find attached word document with photos of the demolition at Rookwood, we do have more, but they are all very similar.

If you need anything else please do not hesitate to contact us.

Kind regards



Julie Hodd
Administration Assistant
Harcourt Lodge Buildings
Burwash Road
Heathfield
East Sussex
TN21 8RA

☎ 01435 862381

✉ julie@bestdemolition.co.uk

🌐 www.bestdemolition.co.uk

Company No. 05466610



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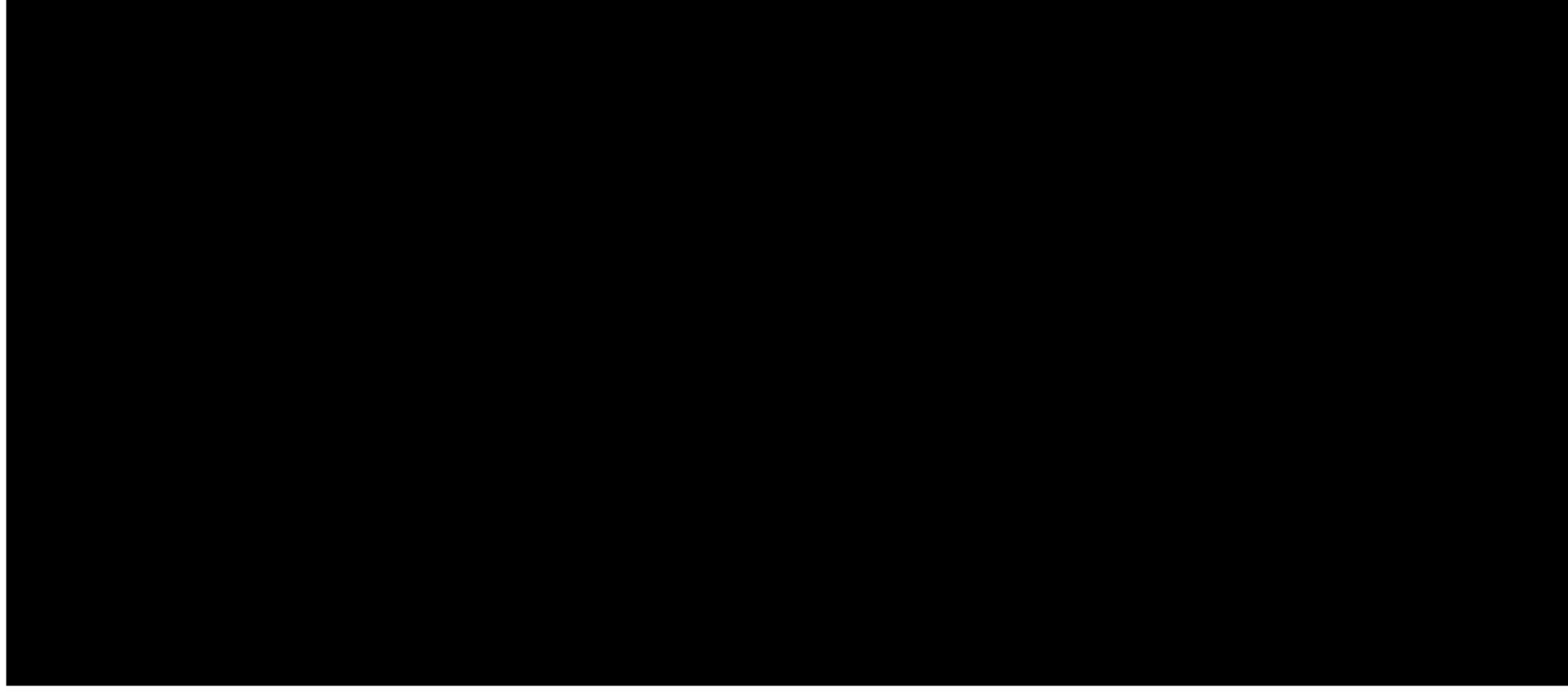
PHOTOS – ROOK WOOD – 2022

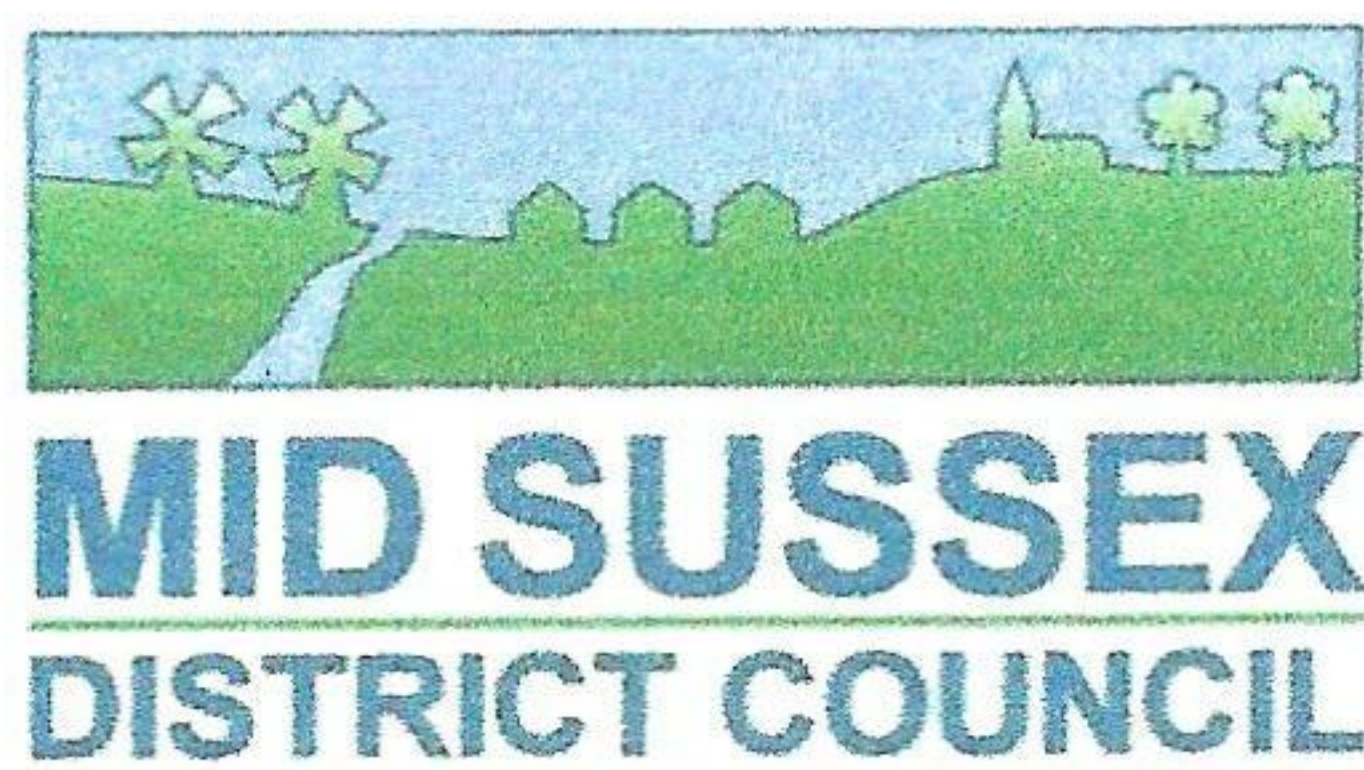






This is the Exhibit marked "Exhibit JM5 " referred to in the Statutory Declaration of





Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Switchboard: 01444 458166

DX 300320 Haywards Heath 1
www.midsussex.gov.uk

Best Demolition Ltd
Best Demolition Ltd Harcourt Lodge Buildings
Burwash Road
Heathfield
East Sussex
TN21 8RA

Contact: Building Control
Phone: 01444 477570
Email: buildingcontrol@midsussex.gov.uk
My Ref: DS/22/0032
Date: 28 October 2022

Dear Best Demolition Ltd

Building Act 1984 (Section 81)

Location: Rookwood Tylers Green Cuckfield Haywards Heath West Sussex
Description: Demolition of property.
Reference DS/22/0032

Mid Sussex District Council (hereinafter called "the Council"), are satisfied that demolition works are intended at the above address. Therefore, this Counter Notice is hereby given in accordance with Section 81(1)(c) of the Building Act.

The Council pursuant to Section 81 of the Building Act 1984 hereby require you to take action in accordance with the schedule given overleaf, which is associated with the intended demolition of the stated premises.

If you consider yourself aggrieved by any of these terms or conditions, you have the right to appeal to a Magistrates' Court within 21 days from the date of receipt of this Notice of Consent. Further details are provided under the "Right of appeal" heading.

If you have any queries on the above or the attached conditions, please contact us on the details at the head of this letter.

Kind Regards,

Mid Sussex District Council Building Control
01444 477570
bcinfo@midsussex.gov.uk



**BUILDING
CONTROL**

[Planning & Building - Mid Sussex District Council](#)

Schedule of Conditions

- a) To shore up any building adjacent to the building to which the notice relates,
- b) To weatherproof any surfaces of an adjacent building that are exposed by the demolition,
- c) To repair and make good any damage to an adjacent building caused by the demolition or by the negligent act or omission of any person engaged in it.
- d) To remove material or rubbish resulting from the demolition and clearance of the site.
- e) To disconnect and seal any sewer or drain in or under the building.
- f) To remove any such sewer or drain and seal any sewer or drain with which the sewer or drain to be removed is connected.
- g) Make good the ground disturbed by anything done under condition (e) or (f) above.
- h) To make arrangements with the relevant statutory undertakers for the disconnection of the supply of gas, electricity and water to the building prior to commencement of work.
- i) To make such arrangements with regard to the burning of structures or materials on the site as may be reasonably required by the Fire and Rescue Authority.
- j) To take such steps relating to the conditions subject to which, the demolition is to be undertaken, and the condition in which the site is to be left on completion of the demolition for the protection of the public and the preservation of public amenity.

Notes:

- Your attention is drawn to the requirements of the Construction, Design and Management Regulations 2015.
- Your attention is drawn to the requirements of the Party Wall Act 1996.
- Your attention is drawn to the Conservation (Natural Habitats, &C.) Regulations 1994 as amended where it is an offence to deliberately capture, kill or disturb a member of a European protected species, and to damage or destroy the breeding site or resting place of such an animal (This include all bat species). Equivalent provisions apply in respect of European protected species and plants. It is also an offence under the Wildlife and Countryside Act 1981 to intentionally kill, injure or take any wild bird, take, damage or destroy the nest of any wild bird while the nest is in use or being built and to take or destroy an egg of any wild bird. No clearance of trees, shrubs, scrub or empty buildings should be undertaken during the bird nesting season, March – August.
- The applicants' attention is drawn to the Town and Country Planning (Demolition - Description of Buildings) Direction 1995 and subsequent amendments, and is advised to contact the Local Planning Authority, to determine whether prior approval is required for the method of demolition and any proposed restoration of the site.

Right of appeal

The person upon whom this Notice is served has a right of appeal to a Magistrates' Court against the requirements of the Notice to execute works, on any of the grounds specified in Section 102(1) of the Building Act 1984, which may be appropriate in the circumstances of the particular case. The time within which the Appeal must be brought is 21 days from the date which this Notice was served.

Magistrates' Court contact:

Brighton Magistrates' Court
The Law Courts
Edward Street
Brighton
BN2 0LG

Email: ss-sussexadmin@Justice.gov.uk

Telephone: 01273 670 888