



Planning Department
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our ref: HM/AB/34475

Wednesday 4th December 2024

Dear Sir/Madam,

BROOK STREET GARAGE, SPARK'S LANE, BROOK STREET, RH17 5JP

APPLICATION FOR THE DISCHARGE OF CONDITIONS 3,4,5,8 AND 9 PLANNING PERMISSION 23/503788/FULL

On behalf of our client, Brook Street Garage Ltd, please find enclosed an application for the approval of details reserved by the above conditions, attached to planning permission reference DM/23/1400. The description of development as listed on the Decision Notice is as follows:

Demolition of existing commercial buildings and the erection of a replacement building.

This letter summarises the details submitted to address the conditions sought to be discharged. The application has been submitted under Planning Portal reference PP-13608491 and is accompanied by an online payment of £145, plus the Planning Portal service charge of £70.

The pre-commencement conditions to be discharged are as follows:

Condition 3 – Materials

Condition 3 attached to the planning permission is worded as follows:

No development shall be carried out until a schedule of materials and finishes to be used for the external walls and roofs of the proposed building 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 in writing 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 development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan.

This application is accompanied by the approved elevation drawing which shows the proposed materials on the building.

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- 230404-20a Proposed Elevations

The elevation drawing details the proposed materials and colours which remain unchanged since the application was approved. The building, along with the roller shutter and side doors will be constructed in 'slate blue' (BS 18-B-29), as shown below. The dark colour is deemed to be most appropriate for the site's position in the vicinity of the listed cottages to the east which exhibits dark timber (almost black) weatherboarding on the western and north western elevations.



The enclosed information is therefore considered sufficient to enable the discharge of condition 3.

Condition 4 – Drainage

Condition 4 attached to the planning permission is worded as follows:

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. The building shall not be occupied until all the approved drainage works have been carried out in accordance with the agreed 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.

Drainage arrangements will remain as existing which functions as part of the wider yard. There will be no foul drainage required within the building.

Condition 5 – Construction Layout

Condition 5 attached to the planning permission is worded as follows:

No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractor's buildings, plant and stacks of materials, provision for the temporary parking of contractors' buildings, plants and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles of associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in the interests of highway safety and to accord with Policy DP21 of the Mid Sussex District Plan.

The plan below shows the location of the contractor parking and material storage over the temporary construction period, which falls within the curtilage of the existing yard and is

covered by hardstanding. This area will be clearly signposted to ensure that there is sufficient space available for the contractor during the construction period. Materials will be delivered and stored in the identified storage area, with delivery vehicles asked to leave site after the delivery is completed. The only vehicles permitted will be contractor vehicles and vehicles accessing the existing businesses.

The applicant is the owner and operator of the land and will ensure that this construction plan is adhered to. During this time the area to the north and south will continue to be used for garage-related parking.



The enclosed information is therefore considered sufficient to enable the discharge of condition 5.

Condition 8 – Biodiversity Enhancement Layout

Condition 8 attached to the planning permission is worded as follows:

A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment Preliminary Roost Assessment and Barn Owl Scoping Survey (aLyne Ecology, May 2023) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats and species).

The approved Preliminary Roost Assessment and Barn Owl Scoping Survey Report (aLyne Ecology; May 2023) recommends the provision of a barn owl box and a sparrow terrace box. As the building will be in commercial use, it will not be possible to install a Barn Owl nest box within the building, therefore it is proposed to be installed on the northern elevation of the neighbouring building, facing onto the open agricultural land to the north (shown with a blue circle below). This location is likely to be more desirable for a barn owl than a working yard.

The sparrow terrace box is proposed to be installed on the northern elevation of the approved building (shown with the orange circle below).



The following information is also enclosed and is considered sufficient to enable the discharge of condition 8.

- Nest Box Specification
- Sparrow Terrace Box Specification

Condition 9 – Lighting

Condition 9 attached to the planning permission is worded as follows:

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive to bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour



plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstance should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats and species).

This application is accompanied by the following plans and documents prepared by DFL:

- 3691-DFL-ELG-XX-DR-EO-13001-S3-PO1 - Lighting Layout
- 3691-DFL-ELG-XX-LD-EO-13001-S3-PO1 - Horizontal Lux Plan
- 3691-DFL-ELG-XX-LD-EO-13002-S3-PO1 - Lighting Report
- 3691-DFL-ELG-XX-TN-EO-13001-S3-PO1 - Technical Note

These plans show the proposed location of the single external light fixture which will be installed on the eastern elevation of the building, fronting onto the yard. The light fixture will face away from the boundary identified as having potential for foraging bats. It should be noted that there is an existing light fixture on the existing building approved for demolition.

The enclosed information is therefore considered sufficient to enable the discharge of condition 9.

Conclusion

I trust the above is sufficient to enable the discharge of Conditions 3,4,5,8 and 9. However, should you require any further information or clarifications, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Hannah McLaughlin'.

Hannah McLaughlin
Associate

Hannah.McLaughlin@dhaplanning.co.uk