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

9 January 2025

Dear Sir/Madam,

Re: Section 73 Application for Variation of Condition 7 (Delivery Hours) attached to Planning Permission Reference DM/21/2400 approved on 24th December 2021 for the *'Existing Sales Building, Surrounding Offices and Forecourt Canopy to be Demolished. Construction of New Single Storey Sales Building with New Forecourt Canopy, Underground Fuel Storage Tanks, 2no. Jet Wash Bays, New EV Charging Bays with Associated EV Infrastructure and Shopfront Parking Bays. Amended Plans Received 9th November Showing Changes to Jet Wash and a Noise Impact Assessment'* at East Grinstead Service Station, 147-149 London Road, East Grinstead, West Sussex.

We are instructed by Motor Fuel Group Limited to submit a Section 73 Application for Variation of Condition 7 (Delivery Hours) attached to Planning Permission Reference DM/21/2400 for the *'Existing Sales Building, Surrounding Offices and Forecourt Canopy to be demolished. Construction of new single storey sales building with new forecourt canopy, underground fuel storage tanks, 2no. jet wash bays, new EV charging bays with associated EV infrastructure and shopfront parking bays. Amended plans received 9th November showing changes to jet wash and a noise impact assessment'* at East Grinstead Service Station, 147-149 London Road, East Grinstead, West Sussex.

This application has been submitted via the Planning Portal (Ref: 13216790). The planning application fee has been paid via the Planning Portal.

Permission DM/21/2400 was implemented, following discharge of the relevant conditions, during the course of 2024, and is now open and trading 24-hours a day seven days a week.

Condition 7 currently states:

"No deliveries or collections of commercial goods or waste outside the following hours:

Monday to Friday: 07:00 to 19:00 hours

Saturday: 08:00 to 19:00 hours

Sundays and Bank/Public Holidays: None permitted

Reason: To protect the amenity of local residents and to comply with policies DP26 and DP29 in the District Plan 2014-2031."

For the reasons expanded up on below it is respectfully requested that Condition 7 is reworded as follows:-

No deliveries or collections of commercial goods or waste outside the following hours:

Monday to Friday: 07:00 to ~~19:00~~ 23:00 hours

Saturday: ~~08:00~~ 07:00 to ~~19:00~~ 23:00 hours

Sundays and Bank/Public Holidays: ~~None permitted~~ 07:00 – 23:00 hours.

The application site is an important refuelling facility located on the north side of London Road, close to where the London Road splits off into Beeching Way. King George's Field is located to the northeast of the site, with King Centre including a leisure centre and Hope Church plus play area to the east. Residential properties are located to the north of the site (in a former office) and on the opposite side of London Road. The Town Centre boundary lies approximately 110m to the south-east of the site.

The proposal for extended delivery hours is essential due to the station's approved 24 hour operation, catering for motorists 24-hours a day seven days a week. Extending delivery hours will help ensure that fresh stock is consistently available, especially during peak demand periods in the early morning. This adjustment will also allow deliveries to occur in the evening and avoid 'rush hour' times, which is intended to reduce potential disruption to on-site operations during busy periods, particularly in the morning period between 5am – 9am.

Waste collection for the site, currently managed by a third-party service provider, occurs only twice a week within the permitted hours. Given the current frequency and logistics of these collections, it is unlikely that the number of waste collections will increase with the proposed changes to delivery hours. Instead, the focus remains on optimising delivery schedules avoiding rush hour and peak times on site (0500-0900) to support uninterrupted service and a consistently stocked facility, aligning with the site's operational needs and customer demand.

This application is submitted with a Servicing Noise Impact Assessment, prepared by EEC (Environmental Equipment Corporation LTD) dated 8 January 2025. This document provides a detailed evaluation of potential noise impacts arising from the proposed delivery, servicing, and waste collection activities. The assessment utilises

the methodology outlined in British Standard BS 4142, which provides a framework for assessing the impact of industrial and commercial sound on nearby residential and commercial areas.

Based on the findings from the Noise Impact Assessment, it has been concluded that the noise impacts associated with the extension of delivery hours to 0700 to 2300 associated with the operation of the development would be expected to be low. The existing ambient noise levels on the site during the proposed hours are typically 6dB or more above the calculated noise levels from the activities and therefore in the context of the existing noise exposure of the local residents will be expected to have a negligible overall impact. Accordingly, the Noise Report supports the proposed extension to delivery hours to 0700-2300 seven days a week.

Mid Sussex District Plan Policy DP26 (Character and Design) seeks to ensure new development “*does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution*”. Policy DP29 (Noise, Air and Light Pollution) states “*... the quality of people’s lives will be protected from unacceptable levels of noise, light and air pollution by only permitting development...*” with reference to noise pollution “*... it [Development] is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and surrounding area*’ and ‘*if is likely to generate significant levels no noise and incorporate appropriate noise attenuation measures.*”

The proposed extension of delivery hours has been subject to a Noise Impact Assessment considering the residential properties most affected by the extended delivery hours, which has concluded that the impact will be negligible. Therefore, it is considered that the extended delivery hours will accord with the requirements of both DP26 and DP29 detailed above and the general principles of the NPPF.

It is therefore respectfully requested that planning permission is forthcoming for the variation of Condition 7 as detailed above.

I trust you find the enclosed application in order and I look forward to receiving confirmation of the registration of the application in due course. Should you wish to discuss this matter further, please do not hesitate to contact me on Harry@jmsplanning.com or 07759 521680.

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