

Earlswood Homes (South East) Ltd  
Roebuck House  
5 Roebuck Close  
Reigate  
RH2 7ER

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

**APPLICATION FOR DISCHARGE OF PLANNING CONDITION**

**REFERENCE:** DM/25/2141

**DESCRIPTION:** DISCHARGE OF CONDITIONS 3, 7, AND 18 RELATING TO  
PLANNING REFERENCE DM/25/1379.

**LOCATION:** LAND AT 147 TO 149, COLLEGE LANE, HURSTPIERPOINT,  
WEST SUSSEX

**DECISION DATE:** 6 OCT 2025

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

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

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

**Conditions:**

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

7. The Council's Ecology Consultant has considered the submitted information and has provided the following response:

*'Whilst the Cover Letter states that a Biodiversity Enhancement Strategy has been submitted, a copy of this document has not been included with the application.'*

*The applicant is reminded that condition 7 is completely separate to mandatory biodiversity net gains and requires the provision of bespoke biodiversity enhancements for protected, Priority and threatened species to be outlined. This should include the technical specifications, locations, orientations and heights of the*

*proposed enhancement measures (e.g. integrated bird and bat boxes, as well as hedgehog friendly fencing).'*

In light of the above, the currently submitted information does not address the details required by condition 7, and I am currently unable to discharge this condition.

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.

A handwritten signature in black ink, appearing to read 'ABiggs', with a stylized, cursive script.

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](http://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.