

Mr David Thackeray
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Ecotecture Ltd
31 Sussex Road
Haywards Heath
West Sussex
RH16 4DZ

CONTACT: Katherine Williams
PHONE: 01444 477214
E-MAIL: katherine.williams@midsussex.gov.uk
REF: DM/24/2865
DATE: 24th April 2025

Dear Sir/Madam

**Dumbrells, Church Platt Somners And The Friary, South Street Cuckfield Haywards Heath
Proposed alterations to rear extension of the Friary previously abutting former Dumbrells.
Proposed incorporation of remaining former Dumbrells into Somners with new internal
doorways for access. Proposed replacement single storey dwelling (Dumbrells) and
associated landscape works**

I advise that your application DM/24/2865 was **Granted Permission** on **24th April 2025**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Ann Biggs
Assistant Director Planning and Sustainable Economy

Mr David Thackeray
Ms Joanna Saady
Ecotecture Ltd
31 Sussex Road
Haywards Heath
West Sussex
RH16 4DZ

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

PERMISSION

REFERENCE: DM/24/2865

DESCRIPTION: PROPOSED ALTERATIONS TO REAR EXTENSION OF THE FRIARY PREVIOUSLY ABUTTING FORMER DUMBRELLS. PROPOSED INCORPORATION OF REMAINING FORMER DUMBRELLS INTO SOMNERS WITH NEW INTERNAL DOORWAYS FOR ACCESS. PROPOSED REPLACEMENT SINGLE STOREY DWELLING (DUMBRELLS) AND ASSOCIATED LANDSCAPE WORKS

LOCATION: DUMBRELLS, CHURCH PLATT, SOMNERS AND THE FRIARY, SOUTH STREET, CUCKFIELD, HAYWARDS HEATH

DECISION DATE: 24 APR 2025

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:-

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 details of materials and finishes to be used for external facing and roofing for the new dwelling, extensions and alterations, have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

4. The development hereby permitted shall not commence unless and until full details of both hard and soft landscaping, to include details of proposed surfacing materials and of any new or altered fences, walls and gates, 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. Any trees or plants which, within a period of five years from the completion of 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 preserve the special character of the area to accord with Policies DP26, DP34, DP35 and DP37 of the Mid Sussex District Plan.

5. No development shall be carried out unless and until details of the PV slates to the new dwelling, including manufacturer's specification and detailed sectional drawings to show the slates in context of the surrounding slopes, have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

6. No development shall be carried out unless and until detailed drawings at an appropriate large scale, including sections, and annotated to show materials and finishes, of typical examples of new windows, external doors, and eaves details including depth of reveals and glazing bars, 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 preserve the special character of the building for the future and to accord with Policies DP34 and DP35 of the Mid Sussex District Plan 2014 - 2031

7. 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 contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles 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 to accord with policy DP21 of the Mid Sussex District Plan 2014 - 2031

8. 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 extension and building shall not be occupied or brought into use, 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 Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

9. Archaeological Evaluation:

No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in (i) above, and any subsequent mitigation has been agreed.

The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

Reason: The site is of archaeological significance, and it is important that it is recorded by excavation before it is destroyed by development and to accord with Policy DP34 of the Mid Sussex District Plan 2014 - 2031 and para 221 of the NPPF.

10. The proposed roof lights shall be flush fitting metal framed conservation style.

Reason: To safeguard the special character of the heritage asset and to comply with Policy DP34 of the Mid Sussex District Plan.

11. The proposed new rainwater goods and other external pipes work, including soil stacks, shall be painted metal.

Reason: To safeguard the special character of the heritage asset and to comply with Policy DP34 of the Mid Sussex District Plan.

12. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and to accord with policy DP21 of the Mid Sussex District Plan

13. 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 to accord with policy DP21 of the Mid Sussex District Plan.

14. The works shall be carried out in accordance with the protection measures set out within the Arboricultural Method Statement submitted 25th November 2024.

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

15. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sunday Bank/Public Holidays or at any time other than between the hours 8 am and 6 pm on Mondays to Fridays and between 9 am and 1 pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is began** because it is considered that one or more of the statutory exemptions or transitional arrangements is considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. 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.
2. 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:

- 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.

3. 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.

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
Block Plan	805/11B		25.11.2024
Existing Floor and Elevations Plan	805/01B		25.11.2024
Existing Floor and Elevations Plan	805/02B		25.11.2024
Drainage Details	805/56d PL		17.02.2025
Proposed Floor and Elevations Plan	805/57b PL		17.02.2025
Proposed Elevations	805/58d PL		17.02.2025
Proposed Elevations	805/59A PL		25.11.2024
Proposed Roof Plan	805/61b PL		17.02.2025
Location and Block Plan	805/10B		25.11.2024
Proposed Site Plan	805/60 PL		25.11.2024
Proposed Floor and Elevations Plan	805/50h PL		17.02.2025
Landscaping Details	L90-200	B	17.02.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

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](#).

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Self and Custom Build development, meaning development which:

- (i) consists of no more than 9 dwellings,
- (ii) is carried out on a site which has an area no larger than 0.5 hectares, and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in Section 1(A1) of the Self Build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.