

Mid Sussex District Council
Oaklands Road,
Haywards Heath,
RH16 1SS

10/09/2025

Dear Sir/ Madam

RE: DISCHARGE OF PLANNING CONDITIONS 10 AND 21 ATTACHED TO PLANNING PERMISSION DM/22/3432 ERECTION OF TWO COMMERCIAL BUILDINGS FOR CLASS E(G) LIGHT INDUSTRIAL OR B8 STORAGE AND DISTRIBUTION USE. PROVISION OF 12 CAR PARKING SPACE WITH SECURE AND COVERED CYCLE PARKING. ASSOCIATED HARD AND SOFT LANDSCAPING, PLANTING AND BOUNDARY TREATMENTS AT LAND ON THE EAST SIDE OF OLD BRIGHTON ROAD SOUTH AND LAND SOUTH OF IMPERIAL HOUSE, PEASE POTTAGE.

This application includes the application form, relevant documentation and this covering letter. Please therefore find enclosed details submitted for the discharge of Conditions attached to DM/22/3432 addressed below.

Condition 10 – CEMP (Construction and Environmental Management Plan)

Condition 10 wording is as follows:

“No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

the anticipated number, frequency and types of vehicles used during construction,

the method of access and routing of vehicles during construction,

the parking of vehicles by site operatives and visitors,

the loading and unloading of plant, materials and waste,

the storage of plant and materials used in construction of the development,

the erection and maintenance of security hoarding,

the provision of wheel washing facilities and other works required to mitigate

the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), details of public engagement both prior to and during construction works.”

The submitted Construction Management Plan (CEMP) for land east of Brighton Road, Pease Pottage, provides a comprehensive and proportionate framework to manage construction activity safely and with minimal disruption to neighbouring properties and the highway network. The document details clear management responsibilities, contact information, and procedures to ensure compliance with health and safety legislation and environmental standards. Please refer to the submitted document for full details

Given the scope and robustness of the submitted CEMP, it is considered that the requirements of the condition have been fully satisfied, and the Council is respectfully requested to discharge it accordingly. If the Council require any additional information please contact Lewis & Co Planning to discuss.

Condition 21 – CEMP (Biodiversity)

Condition 21 wording is as follows:

No development shall commence until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). This should include reference to the Bat Mitigation Strategy and Hazel Dormice Non-Licensed Method Statement (Surrey Wildlife Trust, March 2023)).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

The submitted Construction Environmental Management Plan (CEMP: Biodiversity) provides a comprehensive framework for managing ecological risks during construction and fully satisfies the requirements of Condition 21. It begins with a detailed risk assessment that identifies potentially damaging construction activities, including vegetation clearance, excavation, lighting, and machinery movement, and assesses their likely impact on key species such as hazel dormouse, bats, nesting birds, and reptiles.

To ensure these risks are effectively managed, the CEMP establishes clearly defined biodiversity protection zones, which will be safeguarded with protective fencing and exclusion barriers throughout the construction period. Practical measures and sensitive working practices are also set out, including hand clearance of vegetation under ecological supervision, toolbox talks for contractors, the use of sensitive lighting design, and an “unexpected finds” protocol. These measures are informed by the supporting Dormouse Assessment & Biodiversity Method Statement (Co-ecology, 2023), which provides additional species-specific mitigation in line with best practice.

The timing and phasing of works are carefully considered, with a programme ensuring that clearance avoids the bird nesting season and dormouse hibernation period. The CEMP confirms that an Ecological Clerk of Works (ECoW) will be present during all sensitive operations, such as vegetation clearance and tree works, and will provide toolbox talks, site checks, and direct supervision where necessary.

Responsibility for implementation is clearly set out, with lines of communication between the Principal Contractor, Project Manager, ECoW, and ecological consultants clearly defined. The role of the ECoW is given prominence, in line with BS42020:2013, ensuring that ecological considerations are integrated throughout the build process.

Finally, the CEMP specifies the use of protective fencing, exclusion zones, and warning signs to safeguard retained habitats and minimise the risk of accidental damage. Monitoring and adaptive management are also built into

the plan, ensuring that any unexpected ecological issues are addressed promptly and effectively.

Taken together, the CEMP provides a robust and proportionate response to the condition, demonstrating that biodiversity has been fully considered and safeguarded. The plan complies with all elements of the condition and will be adhered to throughout the construction period, thereby ensuring that the development proceeds in a manner that avoids harm to biodiversity and accords with both local and national policy requirements.

Summary

On the basis of the enclosed information, we trust that Mid Sussex District Council can confirm that Planning Conditions 10 and 21 as listed above and pursuant to the planning application DM/22/3432 has successfully been met in full.

We look forward to receiving written confirmation of the discharge of these conditions in the very near future.

If you have any further queries or require further information, please contact me on 01270 413700 or toby.deacon@lewisplanning.co.uk

Yours sincerely,

Tobias Deacon BSc
Assistant Planner

Lewis & Co Planning