

Planning and Building
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS



23 December 2024

Our Ref: 33854

Your Ref: DM/22/0596

Dear Sir / Madam

NCP Ltd, Harlands Road Car Park, Harlands Road, Haywards Heath – Planning permission ref. DM/22/0596.

On behalf of Frontier Estates Ltd ('the applicant'), we are writing to formally submit an application, under Section 96A of the Town and Country Planning Act 1990 (as amended) ('the Act'), for a non-material amendment to the development granted under planning permission reference DM/22/0596.

Full planning permission has been granted and the applicant is currently in the process of discharging the relevant pre-commencement conditions to assist in the marketing of the site and to 'de-risk' it in terms of costs and timescales from a would-be developers' perspective. However, to facilitate the delivery of the proposal, consideration needs to be given to the likely implementation of the scheme and the timing of works, detailed design phases and the agreeing of outstanding matters required by condition. Therefore, a change is requested to the relevant conditions to facilitate the the delivery of the proposal and progress with below ground construction and site clearance.

This non-material amendment application seeks to alter the wording of the following condition:

- Condition 4 – Foul and Surface Water Drainage;
- Condition 5 – Levels;
- Condition 6 – Construction Management Plan; and
- Condition 8 – Construction Environment Management Plan.

The proposed alterations to the wording of the relevant conditions are detailed in red text below:

Condition	Original Wording	Proposed Wording
4	The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and	The Above ground development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and

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	means of disposal have been submitted to and approved in writing by the Local Planning Authority. No residential unit shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details	means of disposal have been submitted to and approved in writing by the Local Planning Authority. No residential unit shall be occupied until all the approved drainage works have been carried out in accordance with the approved details. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details
5	No development shall take place until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.	No development shall take place above ground until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
6	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,	No development shall take place, including any works of demolition, until a Construction Management Plan applicable to the relevant phase of construction 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 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 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.
8	No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: - hours of construction working; - measures to control noise affecting nearby residents; - wheel cleaning/chassis cleaning facilities; - dust control measures; - pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.	No development shall commence until a Construction Environmental Management Plan (CEMP) applicable to the relevant phase of construction has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: - hours of construction working; - measures to control noise affecting nearby residents; - wheel cleaning/chassis cleaning facilities; - dust control measures; - pollution incident control and site contact details in case of complaints; The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

It is important to note this is minor alteration and the Planning Practice Guidance ('PPG') underpins this approach, explaining that a local planning authority may impose a condition making minor modifications to a development, where the modified development is not "substantially different" (Paragraph ref ID. 21a-012-20140306).

It is also important to note that the revised wording does not prejudice the Council's ability to approve or otherwise any subsequent foul and surface water drainage, levels, CMP or CEMP details to be submitted through a discharge of condition application in due course.

I trust that the above provides you with sufficient information to consider this application, however, please don't hesitate to contact me should you have any queries or wish to discuss.

Yours sincerely

