

Mrs Bullivant And Mr Nayfeld
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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

APPLICATION FOR DISCHARGE OF PLANNING CONDITION

REFERENCE: DM/25/1535

DESCRIPTION: DISCHARGE OF CONDITIONS, 4,10,11 AND 13 RELATING TO DM/25/0310.

LOCATION: TWINHAM, 34 HURST ROAD, HASSOCKS, WEST SUSSEX

DECISION DATE: 26 AUG 2025

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

I refer to your application for approval of details reserved by condition received 12th June 2025.

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

Conditions:

10. The soft landscaping details submitted in drwg no's 01 Rev C and drwg no 11, and the details of the hard landscaping (Indian stone, permeable tarmac and composite boarding) in drwg no 12; as well as the details in respect of condition 10 set out in your email received 11th August 2025 is considered acceptable. I hereby discharge condition 10 attached to planning reference DM/25/1535.

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

4. The Councils Drainage Engineer has provided the following comments in respect of condition 4 and the further information received on the 11th August:

'It is proposed for surface water to discharge via an attenuation tank, trench soakaway and permeable surfacing.

The infiltration testing provided does not demonstrate there is sufficient infiltration at the proposed depth of the trench soakaway. For a soakaway to be utilised, BRE365 infiltration testing results should be presented that demonstrate there is sufficient infiltration at the depth and location the soakaway is being proposed.

A CV value of 1 has still not been utilised within the calculations.

The trench soakaway's dimensions have substantially increased from the application stage. Therefore, in line with building regulations and Southern Water, details should be provided to demonstrate the soakaway has sufficient offsets including but not limited to buildings, boundaries, root protection areas and 5 metres from a public or adoptable gravity sewer, rising main and water main. No distances have been provided on the layout which demonstrate sufficient offsets have been provided. This includes a soakaway needing to be 5m from a building and 2.5m from a boundary.

The calculations provided do not show the cellular storage discharging into the trench soakaway. This will need to be updated.

Upon receipt of this additional information, we will be able to comment further. Receipt of the requested additional information does not mean further information will not be requested.'

In light of the above, I am currently **unable** to discharge condition 4 attached to planning reference DM/25/0310.

11. The details are being considered by the Council's Ecology Consultant. Once I have received a response from them in respect of this I will be in contact further.

Please note that there is currently a delay in getting a response from the Consultant Ecologist, which is due to high workloads and staff shortages. The management team are aware of the delays with not only your application but several other applications. The Consultant Ecologist has recently put together a priority list of applications to be dealt with and this discharge of condition is on the priority list.

13. The further information received on the 11th August shows that a cycle store is to now be provided and to be sited at the entrance of the access as shown in drwg 01 Rev C. It is suggested that its siting would be more appropriate within the site set back from the access and more related to the car parking area. Could its location be re-considered? The details in respect of the cycle store as shown in drwg 12 is considered acceptable in principle. However, please can clarification be provided on the materials for the store. Is this to be timber?

In light of the above, I am currently **unable** to discharge condition 13 attached to planning reference DM/25/0310.

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'.

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.

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.