

FAO Joesph Swift
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex RH16 1SS

26 March 2025
Ref: SL/Let/P2229

Dear Joesph,

Section 73 Application: Proposed Variation of Condition 2 (Approved Plans) and 9 (Sustainability) pursuant to Planning Application (reference DM/22/0752) at Earthingleigh, College Road, Ardingly, Haywards Heath, West Sussex, RH17 6SA.

Introduction

We are writing on behalf of our client, **Remmus** in support of a Section 73 Application for minor amendments to the previously approved scheme ref: DM/22/0752 at Earthingleigh, College Road, Ardingly, Haywards Heath.

The application has been submitted to Mid Sussex District Council via the Planning Portal under reference **PP-13852626** and includes the following documents which have been submitted in support of this application:

- Application Forms and Notices
- Covering Letter
- Proposed Plans (refer to Table 1)

The site has recently been acquired by a new developer, Remmus, who has taken ownership of the site and neighbouring site from the previous developers. It is important to note that, at this stage, the none of the pre-commencement conditions subject to this application have been submitted for approval.

Site History

This Section 73 application seeks to make amendments to the previously permitted application under (ref: DM/22/0752) which was granted permission on 17 January 2024 for:

‘Erection of one detached 5-bedroom dwelling and a pair of semi-detached 5-bedroom dwellings with associated parking and access from College Road (amended plans 19/07/2023)’.

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Proposed Amendments to Condition 2 (Approved Plans)

The proposed amendments to the design are being sought to improve the quality and architectural interest of the scheme previously approved.

The approved and proposed elevations are demonstrated in Figure 1 and 2. As illustrated in Figure 1, the scheme adopts a traditional design, drawing influence from the neighbouring development permitted under reference DM/22/3241 which was built out by the same developed who gain planning permission on this scheme.

Although the design of the dwellings is intended to be changed, these changes are considered to look like the character and appearance of the surrounding street scene, including the Millwood Homes development (reference: DM/15/1511) to the east along College Road, which closely resembles the design and materiality proposed in Figure 2.

The design changes have resulted in changes and improvements to the proposed site plan, including minor relocation of plots and amending the parking provision on site. In our view, this represents a more considered approach to development, optimising the use of space.

These changes are intended to enhance the design and quality of the scheme and make it more in keeping with the surrounding development in Ardingly. In our view these changes are a significant improvement to what has previously been permitted as demonstrated in the below figures which shows a comparison.

The **proposed changes** are discussed below in detail:

- **Plots 3 and 4:** The dwellings are connected via the garages rather than directly through the buildings. As illustrated in Figures 1 and 2, this subtle adjustment maintains the semi-detached character of Plots 3 and 4 while significantly enhancing the overall design. Parking to the side of each of the dwellings will be removed and replaced in garages.



Figure 1 – Street scene (Approved)



Figure 2 - Street scene (Proposed)

- **Parking and Reversing Distance:** Parking for Plots 3 and 4 is positioned in front of the garages. The approved scheme lacked sufficient reversing space. The scheme has been amended to achieve the minimum of 6 metres.
- **Plot 3 Adjustment:** By centralising the parking between Plots 4 and 5, Plot 3 has been shifted west slightly. A review of the aerial view suggests this does not impact on the surroundings, though the consented scheme appears to involve significant tree removal.
- **Roof Pitches:** While the roof pitches are approximately 1 metre higher than the previously approved scheme, the changes are considered more contextually appropriate for the area, incorporating a hipped roof to complement the surrounding architectural character. The proposed roof forms are similar to those permitted under reference: DM/15/1511
- **Plot 5 Chimney Relocation:** The chimney for Plot 5 has been repositioned to the College Road elevation, improving the north-facing front elevation.
- **Elevation Enhancements:** All plots now incorporate a gable feature to enhance the architectural character of the elevations. This is in accordance with surrounding dwellings along College Lane.
- **Chimneys:** Fully operational chimneys have been integrated into each plot which were previously not delivered in the existing scheme.
- **Traditional Design Approach:** The design adopts a more traditional architectural style including stock brick, a combination of tile hanging, and tudor cladding. Additional details of the materials proposed can be secured under condition 3.
- **Internal Floorplan Improvements:** Changes to the floorplans have been sought to improve the functionality of the space and communal areas.
- **Access Drawing:** An updated access drawing has been submitted which details the road as it has been built. The main differences are the approved design width is 4.2m while the as built is 3.9m; the southern radius is 8m on the approved drawing and 7m as built; and no footway crossing is currently provided. As we are now proposing to include the footway crossing as part of a Section 278 agreement this should address this issue. This Section 278 application will run in parallel with this application.

The proposed amendments enhance the overall quality of the scheme by refining the design, improving functionality, and ensuring a more contextually appropriate response to the surrounding area.

Retaining the semi-detached aspect of Plots 3 and 4 while linking them via the garages maintains the intended character while offering a more practical layout which complies with the semi-detached design previously approved under DM/22/0752.

The adoption of a traditional material palette, including stock brick, tile hanging, and tudor cladding, strengthens the visual appeal and aligns with local architectural vernacular.

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Adjustments to the site layout, including improved reversing distances and refined positioning of dwellings enhance the usability of the site while also addressing a previously overlooked parking issue.

Collectively, these changes create a higher quality development that complements the surrounding area and is both visually and functionally improved.

For the avoidance of doubt, the originally approved drawings under ref: DM/22/0752 which are now superseded have been replaced with the following as a result of this new Section 73 Application. The superseded and proposed are detailed below.

Originally Approved Drawings under reference DM/22/0752 to be superseded	Proposed Drawings
Location Plan 607-001	Location Plan 607-001
Existing Site Plan 607-003	Existing Site Plan 607-003
Proposed Site Plan 607-103 - C	7574-PL-03B-Proposed Site Plan
Proposed Floor Plans 607-110- B	7574-PL-05-Proposed Floor Plans GF Plots 3&4
Proposed Floor Plans 607-111- B	7574-PL-06-Proposed Floor Plans FF Plots 3&4
Proposed Roof Plan 607-112- A	7574-PL-07A-Proposed Roof Plans Plots 3&4
Proposed Floor Plans 607-115- B	7574-PL-08-Proposed Floor Plans GF Plot 5
Proposed Floor Plans 607-116- B	7574-PL-09-Proposed Floor Plans FF Plot 5
Proposed Roof Plan 607-117- A	7574-PL-10A-Proposed Roof Plan Plot 5
Proposed Elevations 607-121- A	7574-PL-11A-Proposed North (Front) Elevation
Proposed Elevations 607-122- A	7574-PL-12A-Proposed South (Rear) Elevation
Proposed Elevations 607-123- A	7574-PL-13A-Proposed West (Side) Elevation
Proposed Elevations 607-124 A	7574-PL-14A-Proposed East (Side) Elevations
Drainage Details 9008/D3 P4	Suggested that approved drawing is removed from the Decision Notice. Further details will be provided under Condition 4 prior to commencement which follows the components of the existing drainage strategy but will be updated to align with the new layout.

Drainage Details 9008/D4 P3	Suggested that approved drawing is removed from the Decision Notice. Further details will be provided under Condition 4 prior to commencement which follows the components of the existing drainage strategy but will be updated to align with the new layout.
Landscaping Details LD2436-LAN-DWG-010- 01	Suggested that approved drawing is removed from the Decision Notice. Further details will be provided under Condition 11 prior to commencement which follows the existing landscaping scheme but will be updated to align with the new layout. The indicative landscaping can be seen in the proposed layout and elevational drawing submitted.
Proposed Site Plan 104	7574-PL-04B-Extended Site Plan
Access Plan - 11109_100 - P7	11109_101_P2 Site Access Assessment
	7574-PL-15A-Illustrative street view from Site Entrance
	P2229 Sustainability Statement 250326

Table 1 - Approved and Proposed Drawings

Proposed Amendment to Condition 9 (Sustainability)

This application seeks to amend the wording of Condition 9, pursuant to (ref: DM/22/0752) to allow the removal of solar panels from the scheme and the sustainability documentation.

The requirement for solar panels is not necessary, and improvements to the scheme will be achieved through the use of Air Source Heat Pump (ASHP) which is considered just as efficient. For the sake of clarity, we have added the ASHP to the elevations and request the following amendment to the condition (demonstrated in red below).

*No dwelling shall not be occupied until a final report has been prepared and submitted to the Local Planning Authority to demonstrate that the development has complied with the criteria as set out within the **Sustainability Statement produced by ECE Planning dated 26 March 2025.***

Conclusion

As noted above, we are very much looking to maximise the quality of the scheme in this submission following the changes in the developer.

We felt that the quality of the elevations approved was not as good as they could be, particularly as the dwellings had limited relief from additional materials or architectural detailing.

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It is anticipated that the following consideration of the supporting documents/plans that accompany this application, the Council can successfully consider the changes and implement a planning permission referring to the previous planning permission ref: DM/22/0752 under a Section 73.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely

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