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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/24/3091

DESCRIPTION: DISCHARGE OF CONDITIONS 3 AND 4 RELATING TO DM/23/3210.

LOCATION: STABLE BLOCK, BORDE HILL GARDEN, BORDE HILL LANE, HAYWARDS HEATH

DECISION DATE: 9 APR 2025

CASE OFFICER: ANDREW WATT - ANDY.WATT@MIDSUSSEX.GOV.UK

I refer to your application for approval of details reserved by condition received 19th December 2024.

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

Conditions:

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

3. The submitted schedule (Issue 03, March 2025) in relation to the Glasshouse Restaurant and Glasshouse WC Block Extension is acceptable. However, this condition cannot be discharged in full as no information has yet been submitted for materials in relation to the Teahouse Extension, Western WC Extension and Biomass Boiler building.
4. The Council's Conservation Officer made comments on 10 March, which I am awaiting further comments following updated information:

- Typical examples of new windows, including sectional detail of glazing bars as appropriate
The partial details as submitted are acceptable.

- Typical examples of new external doors
The partial details as submitted are acceptable.

- Typical eaves detail to extensions and new ancillary buildings
The partial details as submitted are acceptable.

- Typical detail of the glazing to the elevations and roof of the conservatory extension
The details as submitted are acceptable.

- Typical detail of the glazing to the elevations and roof of the teahouse extension
Not received.

- Detailed hard and soft landscaping scheme, to include details of materials for hard landscaping, and detailed drawings (plans, elevations and sections as appropriate) of new or altered boundary treatments including walls, fences and gates, and new structures within the garden or surrounding area. Such drawings should be annotated to show materials and finishes.

With respect to the hard landscaping scheme, the overall layout appears acceptable, but in terms of the proposed materials:

- 1) We appear to have no specific details of these, and
- 2) I have concerns regarding the use of limestone paving and porcelain tile, as opposed to sandstone which would be the local, vernacular material, and is used (and proposed for use) on the stables and extensions to them, or brick pavers as already found in the walled garden area.

The applicant has submitted further information and justification for the use of the porcelain tile- I accept the logic of this and would not raise any further objection to its use for the terrace and steps as described, however the submitted drawings do not seem to have been consistently updated to reflect this, and some of the plans and details continue to refer to natural stone (presumably limestone as previously proposed). I would suggest that this needs to be sorted out before the condition is discharged.

We would need to see details of the replacement footbridge to the west of the walled garden which is shown on the Hardworks Plan 3.

These have not been supplied? The demolition plan shows the bridge to be cleared, but I am not sure if this means it is to be removed, or debris cleared from beneath it. The landscaping plan shows a bark path in this position. More clarity is needed on this point, and if outdated Hardworks Plan 3 should be withdrawn.

We don't appear to have any drawings of new walls, fences or gates, or of the proposed new garden structures (dining booths, bar etc.).

The applicant has confirmed that the new bar will be addressed in Phase 2, however we have no further comments or plans relating to the other items?

With respect to the soft landscaping scheme, again I would have no objection to the proposed design and layout of the scheme, but I would think we would require input from our Tree Officers regarding the loss of some trees/suitability of replacement planting.

- Detailed drawings of the services extract ducts etc to the rear elevation of the building
The submitted documents states that 'Information will be submitted following the finalisation of MEP extraction system'; however as I imagine these ducts etc will be integral to

the functioning of the restaurant/café, would we not need to see them now? Poorly designed ducting has the potential to adversely affect the heritage assets. I note the further comments from the applicant on this and defer to your opinion as to whether this is sufficient comfort that the scheme will be delivered in full and with the ducting detail provided in a timely manner.

- New rainwater goods to be of painted metal.
The submitted elevations indicate compliance with this requirement.

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 'AB', with a stylized, cursive flourish extending from the end.

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.