

Adam Light  
c/o Mr Chris Barker  
ECE Planning  
64-68 Brighton Road  
Worthing  
BN112EN

CONTACT: Joseph Swift  
PHONE: 01444 477319  
E-MAIL: [joseph.swift@midsussex.gov.uk](mailto:joseph.swift@midsussex.gov.uk)  
REF: DM/23/2610  
DATE: 30th July 2026

Dear Sir/Madam

**Land South Of Hanlye Lane Longacre Crescent Cuckfield West Sussex  
Residential development of 50 dwellings with vehicular and pedestrian access, car  
parking, open space, play space, landscaping and all other associated works.**

I advise that your application DM/23/2610 was **Granted Permission** on **30th July 2026**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Eric Owens  
Interim Assistant Director Planning and Sustainable Economy

Adam Light  
Mr Chris Barker  
ECE Planning  
64-68 Brighton Road  
Worthing  
BN112EN

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)**  
**(ENGLAND) ORDER 2015**

**PERMISSION**

**REFERENCE:** DM/23/2610

**DESCRIPTION:** RESIDENTIAL DEVELOPMENT OF 50 DWELLINGS WITH VEHICULAR AND PEDESTRIAN ACCESS, CAR PARKING, OPEN SPACE, PLAY SPACE, LANDSCAPING AND ALL OTHER ASSOCIATED WORKS.

**LOCATION:** LAND SOUTH OF HANLYE LANE, LONGACRE CRESCENT, CUCKFIELD, WEST SUSSEX

**DECISION DATE:** 30 JUL 2026

**CASE OFFICER:** JOSEPH SWIFT - [JOSEPH.SWIFT@MIDSUSSEX.GOV.UK](mailto:JOSEPH.SWIFT@MIDSUSSEX.GOV.UK)

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development a schedule of materials and finishes of the external facing of the proposed buildings has been submitted to and approved by the local planning authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CNP7 Neighbourhood Plan.

3. No development above slab level unless and until detailed drawings showing front elevations of the typical features (shown in context) and of a scale of 1:20 have been submitted and approved by the local planning authority. The works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CNP7 Neighbourhood Plan.

4. No development above slab level shall commence unless and until detailed design drawings of the LEAP Play area have been submitted and approved by the Local Planning Authority, this area shall be provided in accordance with the approved plans prior to the occupation of any of the residential units or in accordance with a programme to be approved with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan and Policy CNP7 Neighbourhood Plan.

5. Archaeological Evaluation and Excavation

(i) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the Written Scheme of Investigation defined in Part 1 and confirmed by the local authority archaeological advisors. The development hereby permitted shall not commence unless and until detailed drawings at a scale of 1:50 have been submitted and approved for elevations and sections of typical entrance zones to the building.

The works shall be carried out in accordance with the approved plans unless otherwise agreed with the Local Planning Authority.

Reason: The site is of archaeological significance, and it is important that it is recorded by excavation before it is destroyed by development and to accord with Policy DP35 of the Mid Sussex District Plan 2014 -2031.

6. The development hereby permitted shall not commence unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. No building 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.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, Policy DP41 of the District Plan (2014 - 2031).

7. No building is to be occupied, or brought into use, until a Verification Report pertaining to the surface water drainage system, carried out by a competent Engineer, has been submitted to the Local Planning Authority. The Verification Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets, and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features. The Verification Report should also include an indication of the adopting or maintaining authority or organisation.

Reason: To ensure that the constructed surface water drainage system complies with the approved drainage design and is maintainable and to accord with the NPPF requirements, Policy DP41 of the District Plan (2014 - 2031).

8. Glazing and trickle vents must be installed in accordance with the requirements outlined in the Road Traffic Noise Survey and Assessment by Acoustic South East, dated June 2024 unless otherwise agreed upon with the local planning authority.

Reason: to protect the amenity of residents and to accord with DP26 and DP29 of the Mid Sussex District Plan.

9. No development above slab level shall commence unless and until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, this should also include details of the suitable replacement planting for the TPO trees to be felled as part of the development.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To achieve a development of visual quality and to accord with Policies DP26 and DP37 of the Mid Sussex District Plan.

10. Prior to the commencement of development details of a hard landscaping scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding (where appropriate); surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example refuse and / or other storage units, lighting and similar features); proposed and existing functional services above and below

ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant.

The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To achieve a development of visual quality and to accord with Policy and DP26 of the Mid Sussex District Plan.

11. No development above slab level shall commence unless and until a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than privately owned plots) together with a timetable for the implementation, monitoring and review of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority.

The Landscape Management Plan shall be carried out in accordance with the approved details and timetable.

Reason: To achieve a development of visual quality and to protect neighbouring residential amenity and to accord with Policy and DP26 of the Mid Sussex District Plan.

12. Prior to commencement of development (including any demolition, groundworks and site clearance) an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
  - a. Measures for the protection of those trees and hedges on the application site that are to be retained;
  - b. Details of all construction measures within the 'Root Protection Area' of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstanding, roads and footpaths;
  - c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To achieve a development of visual quality and to accord with Policies DP26 and DP37 of the Mid Sussex District Plan.

13. Prior to the commencement of any residential part of the development hereby permitted, the applicant shall submit an emissions mitigation calculation, in accordance with the Air Quality & Emissions Mitigation Guidance for Sussex which is current at the time of the application, the purpose of which is to assess the emissions relating to the development and to determine the appropriate level of mitigation required to help reduce the potential effect on health and/or the local environment. The emissions mitigation assessment must use the most up to date emission factors. A Mitigation Scheme to the calculated value shall be submitted to and approved in writing by the Local Planning Authority. Upon development, work should be carried out in accordance with the approved scheme.

Reason: to preserve the amenity of local residents regarding air quality and emissions and to accord with Policy DP26 and DP29 of the District Plan.

14. Construction hours: Works of construction or demolition, including the use of plant and machinery, as well as any delivery or collection of plant, equipment or materials for use during the demolition/construction phase necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays no work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the District Plan.

15. 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, including site contact details in case of complaints  
details of times of deliveries, due to proximity to Orchard House this should avoid key drop off and pick up times for children (8am to 9am and 3pm to 4pm)  
details of engagement with the manager of Orchard House  
measures to control noise and vibration affecting nearby residents;  
artificial illumination;  
pollution incident control; and  
dust control measures.

Reason: in the interests of highways safety and to protect the amenity of local residents and to accord with Policies DP21 and DP26 of the District Plan.

16. Prior to the commencement of any development details showing the proposed location of required fire hydrants or stored water supply shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Reason: In the interests of amenity and in accordance with The Fire and Rescue Service Act 2004.

17. Prior to the first occupation of any dwelling/residential unit forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a

phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with The Fire & Rescue Service Act 2004.

18. The development shall not be occupied until the sustainability measures set out in the accompanying Energy Statement have been implemented in full.

Reason: In the interests of achieving an energy efficient, sustainable development and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031

19. A minimum of 20 percent of the dwellings shall be built to meet national standards for accessibility and adaptability (Category M4(2) of the Building Regulations). These shall be fully implemented prior to completion of the development and thereafter be so maintained and retained. No dwelling shall be occupied until a verification report confirming compliance with category M4(2) has been submitted to and agreed with the Local Planning Authority. Unless an exception is otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development provides a range of house types to meet accessibility and adaptability needs to comply with Policy DP28 of the Mid Sussex District Plan.

20. In accordance with the approved details Plot 4 shall be provided as a wheelchair accessible dwelling which meets all of the requirements contained in Part M4(3)(1)(a) and(b) and Part M4(3)(2)(b) of Schedule 1 of the Building Regulations 2010 as amended.

Reason: to ensure that the development provides a range of house types to meet accessibility and adaptability needs to comply with Policy DP28 of the Mid Sussex District.

21. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the District Plan.

22. The development hereby permitted shall be occupied until the refuse/recycling storage facilities have been provided in accordance with the approved plans and thereafter retained.

Reason: In the interests of the amenities of the area, to comply with Policy DP26 of the Mid Sussex District Plan.

23. Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, shall each be submitted to and approved, in writing, by the local planning authority:

- a) A site investigation, based on the combined phase 1 desktop study and phase 2 Site investigation report by Leap Environmental, ref: LP3210/DSP2, dated the 14th March 2023 to investigate previously inaccessible areas of the site, and provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;  
and, unless otherwise agreed in writing by the Local Planning Authority,  
b) Based on the site investigation results and the detailed risk assessment (a) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24. The development hereby permitted shall not be occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority a verification plan by a competent person showing that the remediation scheme required and approved has been implemented fully and in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be identified within the report, and thereafter maintained.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with the NPPF.

25. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with the NPPF.

26. No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved plans. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the District Plan and SA GEN and SA23 of the Site Allocations DPD.

27. No part of the development shall be first occupied until such time as the access serving the development, including footway connections and visibility splays, have been constructed in accordance with the details shown on the approved drawings, and including recommendations contained in any associated Road Safety Audits.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan and SA GEN and SA23 of the Site Allocations DPD.

28. No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development and to accord with Policy DP21 of the District Plan and SA GEN and SA23 of the Site Allocations DPD.

29. No part of the development shall be first occupied until such time as the Travel Plan Statement to support and encourage sustainable and active travel has been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport and to accord with Policy DP21 of the District Plan and SA GEN and SA23 of the Site Allocations DPD.

30. No development shall take place unless and until full details of the existing and proposed site levels (to include finished floor 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.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the appearance of the locality or amenities of existing or future residents and to accord with Policy DP26 of the District Plan.

31. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Protected Species Report Revision 2 (Urban Edge Environmental Consulting, June 2024), Confidential Technical Note - Badger Survey (Urban Edge Environmental Consulting, June 2024), Preliminary Ecological Appraisal Report Revision 4 (Urban Edge Environmental Consulting, June 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Reptile Mitigation Strategy in Section 5.2.17 of the Protected Species Report Revision 2 (Urban Edge Environmental Consulting, June 2024), which avoids impacts on protected species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and to accord with Policy DP38 of the Mid Sussex District Plan.

32. Any works which will impact the breeding / resting place of Hazel Dormouse shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and to accord with DP38 of the Mid Sussex District Plan.

33. Prior to the commencement of development 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).
- 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.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to accord with DP38 of the Mid Sussex District Plan.

34. Prior to development above slab level A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended) and to accord with DP38 of the Mid Sussex District Plan.

35. Prior to the occupation of any dwellings a lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and to accord with DP38 of the Mid Sussex District Plan.

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Schedule 2, Classes A, B, C, D and E, Part 1 of the Order shall be carried out to units 1, 2 and 3 as identified on the proposed planning layout (Drawing No. PL-04 Rev. S) without the specific grant of planning permission by the Local Planning Authority.

Reason: To prevent a harmful overdevelopment of the site and to protect the amenities of neighbouring dwellings and to accord with Policy and DP26 of the Mid Sussex District Plan 2014-2031.

37. Prior to the occupation of units 1, 2 and 3 as identified on the proposed planning layout (Drawing No. PL-04 Rev. S), details of the proposed boundary treatment/screening to the western (rear) boundary with No. 9 and 11 Stocklands Close shall be submitted and approved by the Local Planning Authority and these units shall not be occupied until the approved boundary treatment/screening has been carried out in full.

Reason: To protect the amenities of neighbouring dwellings and to accord with Policy and DP26 of the Mid Sussex District Plan 2014-2031.

### **Biodiversity Net Gain**

1. This permission is considered to be one which **will require the approval of a biodiversity gain plan before development is begun** (which includes demolition) because none of the statutory exemptions or transitional arrangements are considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

## **Informatives**

1. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing, should such works be required. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
2. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
3. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the access and any related off-site highway works. As such, the applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the access and any related off-site highway works. As such, the applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
5. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and advice for developers can be found at [www.midsussex.gov.uk/streetnaming](http://www.midsussex.gov.uk/streetnaming) or by phone on 01444 477175.
6. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
7. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.  
To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](http://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are available on our website via the following link: [southernwater.co.uk/developing-building/connection-charging-arrangements](http://southernwater.co.uk/developing-building/connection-charging-arrangements)
8. No works to the surface of the PROW can take place without prior approval by WSCC PROW team.

## **Human Rights Implications**

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

### Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

| Plan Type                          | Reference                                   | Version                  | Submitted Date |
|------------------------------------|---------------------------------------------|--------------------------|----------------|
| Drainage Details                   | 23-148-001                                  | K                        | 15.10.2024     |
| Other                              | 7343 - PL-14                                | A                        | 15.10.2024     |
| Proposed Floor Plans               | 7343 - PL-58                                | A                        | 30.08.2024     |
| Other                              | UE0566ECO-HanlyeLane_240614                 | Habitat Enhancement Plan | 24.06.2024     |
| Proposed Floor and Elevations Plan | 7343 - PL56 - Unit type D2                  | A                        | 24.06.2024     |
| Illustration                       | 7343 - PL13                                 | B                        | 24.06.2024     |
| Proposed Floor Plans               | 7343-PL57_D-Unit Type T - Ground Floor Plan | B                        | 12.08.2024     |
| Proposed Floor Plans               | 7343-PL58_Plot 4 Layout Plan                | A                        | 30.08.2024     |
| Location Plan                      | 7343 - PL-01 - Location Plan                | C                        | 24.06.2024     |
| Block Plan                         | 7343 - PL-02_ Block Plan                    | G                        | 15.10.2024     |
| Topographical Survey               | 7343 - PL-03_ Layout with Topo Overlay      | F                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-04_Proposed Site Layout           | S                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-05_Proposed Presentation Layout   | G                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-06_Detailed Site Layout           | G                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-07_Proposed Tenure Plan           | F                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-08_Proposed Materials Plan        | F                        | 15.10.2024     |
| Site Plan                          | 7343 - PL-09_Proposed Parking Plan          | F                        | 15.10.2024     |
| Illustration                       | 7343 - PL-10 - 3D Visual - Viewpoint 1      | B                        | 24.06.2024     |
| Illustration                       | 7343 - PL-11 - 3D Visual - Viewpoint 2      | B                        | 24.06.2024     |

|                                    |                                                      |   |            |
|------------------------------------|------------------------------------------------------|---|------------|
| Illustration                       | 7343 - PL-12 - 3D<br>Visual - Viewpoint<br>3         | B | 24.06.2024 |
| Street Scene                       | 7343 - PL-20 -<br>Street Elevations<br>- Sheet 1     | C | 24.06.2024 |
| Street Scene                       | 7343 - PL-21 -<br>Street Elevations<br>- Sheet 2     | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-30 -<br>Unit Type A -<br>Plans Elevations  | C | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-31 -<br>Unit Type B -<br>Plans Elevations  | C | 12.08.2024 |
| Proposed Elevations                | 7343 - PL-32 -<br>Unit Type C -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-33 -<br>Unit Type D1 -<br>Plans Elevations | C | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-34 -<br>Unit Type E -<br>Plans Elevations  | C | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-35 -<br>Unit Type F1 -<br>Plans Elevations | C | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-36 -<br>Unit Type F2 -<br>Plans Elevations | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-37 -<br>Unit Type G1 -<br>Plans Elevations | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-38 -<br>Unit Type G2 -<br>Plans Elevations | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-40 -<br>Unit Type I -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-41 -<br>Unit Type J -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-42 -<br>Unit Type K -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-43 -<br>Unit Type L -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-44 -<br>Unit Type M -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-45 -<br>Unit Type P -<br>Plans Elevations  | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | 7343 - PL-46 -                                       | B | 24.06.2024 |

|                                    |                                                                   |   |            |
|------------------------------------|-------------------------------------------------------------------|---|------------|
| Proposed Floor and Elevations Plan | Unit Type Q -<br>Plans Elevations<br>7343 - PL-47 -               | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | Unit Type R1 -<br>Plans Elevations<br>7343 - PL-48 -              | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | Unit Type R2 -<br>Plans Elevations<br>7343 - PL-50 -              | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | Unit Type T -<br>Plans Elevations<br>7343 - PL-51 -               | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | Unit Type U -<br>Plans Elevations<br>7343 - PL-52 -               | A | 24.06.2024 |
| Proposed Floor and Elevations Plan | Cycle and Refuse<br>Store - Plans<br>Elevations<br>7343 - PL-53 - | B | 24.06.2024 |
| Proposed Floor and Elevations Plan | Storage Shed -<br>Plans Elevations<br>7343 - PL-54 -              | A | 24.06.2024 |
| Landscaping Details                | Single Garage -<br>Plans Elevations<br>SIG1407-11                 |   | 15.10.2024 |
| Landscaping Details                | Sheet 1<br>SIG1407-11                                             |   | 15.10.2024 |
| Landscaping Details                | Sheet 2<br>SIG1407-11                                             |   | 15.10.2024 |
| Landscaping Details                | Sheet 3<br>SIG1407-11                                             |   | 15.10.2024 |
| Landscaping Details                | Sheet 4<br>SIG1407-11                                             |   | 15.10.2024 |
| Landscaping Details                | Sheet 5<br>SIG1407-11                                             |   | 15.10.2024 |



Eric Owens  
Interim Assistant Director Planning and Sustainable Economy

PEFULZ

## **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 under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice \*(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.uk.

- \* If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, 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 this notice.\*
- \* If an enforcement notice is 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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.\*

### **Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

**Purchase Notices**

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.