

From: applications@alphaplanning.ltd.uk <applications@alphaplanning.ltd.uk>
Sent: 12 December 2024 11:36:09 UTC+00:00
To: "Kyrn.Schneider@westsussex.gov.uk" <Kyrn.Schneider@westsussex.gov.uk>
Cc: "Anna Tidey" <anna.tidey@midsussex.gov.uk>
Subject: DM/24/2924 - Variation of Condition 2 relating to DM/22/0536 (Hitchins Cottage Moatlands Estate)
Attachments: Hitchins Cottage Block Plan showing two parking spaces.pdf

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Dear Ms Schneider

I have seen your comment on Mid Sussex Council's planning portal in relation to the above application and note that you were unable to view the plan that we submitted with the application to vary condition 2 (parking).

The plan is available to view online, Mid Sussex uploaded it with the planning application document on 2 December and entitled it 'Latest Plan' (second document from the bottom in their 'Documents' folder), so I am not clear as to why you are unable to view it.

For ease I am attaching it to this email.

You will also have observed in our correspondence we drew attention to the comments that you made on 22 March 2022 in relation to the original application (DM/22/0536), the condition for which we are seeking to vary. I am pasting the comments that were in our covering letter below:

"The LHA in considering the original development was satisfied it would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network and therefore that it was not contrary to paragraph 111 of the then NPPF (now paragraph 115), and consequently there were no highway grounds to resist the proposal.

"Additionally, the LHA noted that there appeared to be plentiful space on-site for the parking demand associated with the proposed conversion of the existing garages into a dwellinghouse. In their response to the LPA, the LHA advised that the following condition should be imposed:

"No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose."

"The reason given was in order "to provide car-parking space for the use."

"As noted above, the LPA attached a somewhat different condition, namely requiring the car parking spaces within the garages to be provided in accordance with the approved plans – this was carried out – and thereafter to be permanently retained for their designated purpose.

"Given that the LHA was satisfied that there was adequate space within the immediate area to accommodate the required parking, as shown on drawing 001 submitted with this application, we consider that Condition 2 does not meet the tests set out in the NPPF, being unnecessary since

there is adequate space on-site to meet the requisite parking and was not necessary in order for the development to be permitted.

“Consequently, we consider that the planning condition should be removed, and, given the on-site space around the building, including that shown on drawing 001 adjacent to the two recently approved electric vehicle charging points (MSDC ref: DM/24/1157), which have been provided (see photograph below), we do not consider that it is necessary to impose a further condition.”

Regards

David

Alpha Planning Ltd.

David Gurtler BA(Hons), BPl, DipSurv, MRTPI

Director

Tel: 07594 189858

Email: david@alphaplanning.ltd.uk