

Remmus
Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
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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/26/0783

DESCRIPTION: DISCHARGE OF CONDITION NOS 3, 5, 6 AND 7 RELATING TO PLANNING APPEAL NO AP/25/0023 (DM/24/0846).

LOCATION: LAND ADJACENT TO HILGAY COTTAGE, BIRCHWOOD GROVE ROAD, BURGESS HILL, WEST SUSSEX

DECISION DATE: 3 JUL 2026

CASE OFFICER: ANNA TIDEY - ANNA.TIDEY@MIDSUSSEX.GOV.UK

I refer to your application for approval of details reserved by condition received 26th March 2026.

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

Conditions:

3. I can confirm that the Biodiversity Net Gain Feasibility Assessment Document ref 6791E/26/02 (PJC Ltd., March 2026) which contains Appendix IV Proposed Habitat Map and the Biodiversity Gain Plan (March 2025) submitted to address Condition 3 includes the detail required by this condition, and I hereby discharge this condition, subject to implementation in full of the submitted details.
5. I can confirm that the details shown on the General Arrangement Plan PJC.1520.001 Rev D, received 14.05.2026 address this condition, which is hereby discharged.
6. I can confirm that the details shown on the submitted Landscape, Maintenance and Management Plan - PJC.1520.004 Rev A, received on 14.05.2026 address this condition, which is hereby discharged.

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

7. This condition remains outstanding. The latest drainage submission was received from Chris Gray, from Motion, on 29.06.2026. The Flood Risk & Drainage Team were consulted on 29.06.2026, and their response is awaited by 20.07.2026.

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.

The following matters are set out below for your information:

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
Landscaping Details	PJC.1520.001	REV D	14.05.2026
Landscaping Details	PJC.1520.002	REV D	14.05.2026
Landscaping Details	PJC.1520.003	REV B	14.05.2026
Landscaping Details	PJC.1520.004	REV A	14.05.2026
Biodiversity Checklist	BNG Feasibility Assessment		19.05.2026
Biodiversity Checklist	Biodiversity Gain Plan		26.03.2026



Eric Owens
Interim 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.