

Hammer It Homes Properties Ltd
c/o Katherine Andrews
KLA Architects Ltd
57 Penland Road
Haywards Heath
RH16 1PJ

CONTACT: Katherine Williams
PHONE: 01444 477214
E-MAIL: katherine.williams@midsussex.gov.uk
REF: DM/25/0196
DATE: 5th November 2025

Dear Sir/Madam

Thai Crystal 45 The Broadway Haywards Heath West Sussex
Demolition of existing redundant single storey buildings to the rear. Erection of a four-storey rear extension and re-configuration work to convert existing commercial use to Use Class E a-c, e and g and 4 No. residential flats together with associated refuse and cycle storage. (Amended plans received 16.10.2025 to remove off street parking and create refuse collect point)

I advise that your application DM/25/0196 was **Granted Permission** on **5th November 2025**.

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



Ann Biggs
Assistant Director Planning and Sustainable Economy

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

PERMISSION

REFERENCE: DM/25/0196

DESCRIPTION: DEMOLITION OF EXISTING REDUNDANT SINGLE STOREY BUILDINGS TO THE REAR. ERECTION OF A FOUR-STOREY REAR EXTENSION AND RE-CONFIGURATION WORK TO CONVERT EXISTING COMMERCIAL USE TO USE CLASS E A-C, E AND G AND 4 NO. RESIDENTIAL FLATS TOGETHER WITH ASSOCIATED REFUSE AND CYCLE STORAGE. (AMENDED PLANS RECEIVED 16.10.2025 TO REMOVE OFF STREET PARKING AND CREATE REFUSE COLLECT POINT)

LOCATION: THAI CRYSTAL, 45 THE BROADWAY, HAYWARDS HEATH, WEST SUSSEX

DECISION DATE: 5 NOV 2025

**CASE OFFICER: KATHERINE WILLIAMS -
KATHERINE.WILLIAMS@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. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until details of materials and finishes to be used for external facing and roofing have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To protect the appearance of the building and the area and to accord with Policies DP16 and DP26 of the Mid Sussex District Plan.

4. 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 Policy DP41 of the Mid Sussex District Plan 2014 - 2031.

5. No development shall commence until a scheme that addresses the issues of acoustics, ventilation and overheating (AVO) has been submitted to and agreed in writing by the Local Planning Authority.

Good acoustic design shall be fully integrated into the scheme. The hierarchy of good acoustic design (GAD) shall be applied in descending order and the methods utilised shall be clearly outlined in an Acoustic Design Statement (ADS).

The scheme shall a) outline the level of noise exposure for each property and how the noise level within any domestic living room or bedroom, with windows open for normal ventilation, shall comply with the desirable internal noise levels as outlined in Table 2.1 of BS8233:2014 and b) outline how the noise level within any domestic bedroom, with windows open, shall not normally exceed 42 dB(A) LAFmax between 23:00 and 07:00, in line with WHO NNGL 2007.

Where the standards in (a) or (b) above cannot be achieved following GAD and with windows open, only then shall the scheme show how those standards will be met with windows closed and how adequate ventilation and cooling will be provided.

And, unless otherwise agreed in writing by the Local Planning Authority, where windows must remain closed to achieve acceptable internal noise levels, an overheating assessment must be undertaken with accordance with CIBSE. The cooling hierarchy shall be applied to the scheme.

The methods integrated into the design to prevent overheating shall be fully outlined in the AVO scheme and no dwelling hereby permitted shall be occupied until the approved scheme has been implemented in full for that dwelling.

If as a last resort mechanical ventilation is to be used, it must be demonstrated that it still complies with internal noise levels while providing sufficient ventilation.

Reason: To safeguard the amenity of adjacent and future occupiers and to accord with Policies DP26 and DP28 of the Mid Sussex District Plan 2014 - 2031.

6. Works of demolition/construction, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday to Friday 08:00 - 18:00 hours
Saturday 09:00 - 13:00 hours
Sundays and Bank/Public Holidays: no work permitted.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

7. Deliveries or collection of plant, equipment or materials for use during the demolition/construction phases shall be limited to the following times:

Monday to Friday: 08:00 - 18:00 hrs
Saturday: 09:00 - 13:00 hrs
Sunday & Public/Bank holidays: None permitted.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

8. The use hereby permitted shall not come into operation until a scheme has been submitted to the LPA demonstrating that the noise rating level (L_Ar,Tr) of plant and machinery within the build shall be at least 5dB below the background noise level (L_A90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019.

The results of any assessment and details of any mitigation measures shall be submitted to the Local Planning Authority upon request. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

9. Before any plant and/or machinery is used on the premises, it shall be mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme to be approved in writing by the local planning authority. The approved details shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

10. The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning authority a report by a competent person demonstrating that any sound attenuation measures between commercial and residential units are effective and achieve a minimum airborne sound insulation value of 55dB (DnTw+Ctr dB). Post completion testing shall be required to show this has been achieved. This shall be submitted to the LPA and approved in writing. The approved details shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

11. No phase of the development shall be occupied until a Management Plan for that phase, including hours of operation which shall be restricted to the hours of 07:00 to 23:00, full details of loading/unloading arrangements for deliveries and any noise mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall be implemented in full on occupation of each phase and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

12. The development hereby permitted shall not operate catering activities until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority, and the scheme as approved has been implemented. The submitted odour control scheme shall be in accordance with current best practice and shall include an odour risk assessment, as well as a maintenance and monitoring schedule for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

13. No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of 07:00 - 18:00 hours Monday to Friday, between the hours of 09:00 - 13:00 hours on Saturdays, Sundays and Bank holidays, none permitted.

Reason: To safeguard the amenity of adjacent occupiers and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

14. Notwithstanding the provisions of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the commercial premises shall be used only for the following purposes and for no other purpose:

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

E(c) Provision of:

E(c)(i) Financial services,

- E(c)(ii) Professional services (other than health or medical services), or
- E(c)(iii) Other appropriate services in a commercial, business or service locality
- E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E(g) Uses which can be carried out in a residential area without detriment to its amenity
 - E(g)(i) Offices to carry out any operational or administrative functions,
 - E(g)(ii) Research and development of products or processes, or
 - E(g)(iii) Industrial processes

Reason: To protect the amenities of adjoining properties and to accord with policies DP26 and DP29 of the Mid Sussex District Plan 2014-2031.

15. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

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

16. The roof terrace hereby approved shall not come into use unless or until plans and details of the louvred screen have been submitted and approved by the Local Planning Authority and thereafter retained in perpetuity.

Reason: To prevent and preserve the privacy of neighbouring properties and to accord with policy DP26 of the Mid Sussex District Plan 2014-2031

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is began** because it is considered that one or more of the statutory exemptions or transitional arrangements is considered to apply.

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

Informatives

1. 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 developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. 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.
3. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service:
<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

4. You are advised that this planning permission requires compliance with a planning condition(s) **before development commences**. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £145 will be payable per request). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.
5. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Having planning permission in place is no defence against a statutory noise nuisance being caused or allowed to occur. Should the Environmental Protection team receive a complaint once the site is operational, we are required to investigate under the provisions of the Environmental Protection Act 1990 and must take formal action where a statutory noise nuisance is in existence.

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
Proposed Elevations	298.PL.05/D		06.06.2025
Existing Floor Plans	298.EXG.01		27.01.2025
Existing Elevations	298.EXG.02		27.01.2025
Existing Sections	298.EXG.02		27.01.2025
Proposed Floor Plans	298.PL.01/E		06.06.2025
Location and Block Plan	298.PL.01/E		16.10.2025
Proposed Floor Plans	298.PL.02/C		06.06.2025
Proposed Roof Plan	298.PL.02/C		06.06.2025
Proposed Sections	298.PL.03/C		06.06.2025
Proposed Elevations	298.PL.04/C		06.06.2025



Ann Biggs
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) 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

Self and Custom Build development, meaning development which:

- (i) consists of no more than 9 dwellings,
- (ii) is carried out on a site which has an area no larger than 0.5 hectares, and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in Section 1(A1) of the Self Build and Custom Housebuilding Act 2015).

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.