

Planning Department
Mid Sussex District Council
Oaklands Rd
Haywards Heath
RH16 1SS

15th June 2026

Our Ref: 25/8390

Dear Sir/Madam,

Application for Lawful Development Certificate for an Existing Use.
The Gardeners Arms, Selsfield Road, Ardingly, RH17 6TJ.

On behalf of the Applicant, Hall & Woodhouse Limited, please find enclosed an application for a Lawful Development Certificate for existing building works at the Gardeners Arms Selsfield Road, Ardingly, RH17 6TJ.

The purpose of this application is to confirm the implementation of Planning Permission (Application Ref: DM/22/1680) for the following works:

'Erection of guest accommodation block with associated parking, infrastructure and landscaping works. (Amended plans received 14.02.202)'

This application was approved on 16th June 2023 subject to a condition that required development to start within three years of the permission being granted (Condition No. 1 attached to Application Ref: DM/22/1680).

This Lawful Development Certificate application therefore seeks to demonstrate that development has commenced within this time period via the undertaking of material operations on site. The work undertaken involves excavation works including the digging of a trench.

Application Submission

This application has been submitted via the Planning Portal (Ref: PP-15012141) and includes the following documents:

- This Covering Letter.
- A Completed Application Form.
- Site Location Plan.
- Photographs showing the work undertaken; and
- Dated quote detailing the initial works undertaken from Turvey Construction.

The requisite application fee of £1,018.00 has been paid via the Planning Portal.

www.planningpotential.co.uk

info@planningpotential.co.uk

Planning Potential is a Limited Company registered in England No. 05419507 | Registered Office: 35 Ballards Lane, London N3 1XW

This document may have been prepared with the support of AI tools, including Microsoft Copilot, which can assist with research and initial drafting. Where AI tools have been used, all content has been reviewed, edited, and validated by our professional team. The findings, recommendations, and conclusions reflect our expert judgement based on the information available at the time of writing. This report forms one component of the wider decision-making process and is intended to be read in conjunction with any other relevant professional advice. Any AI-generated measurements or spatial outputs are approximate; critical information has been independently verified where required.

Background and Evidence of Material Operation

The Gardeners Arms is located off Selsfield Road, approximately 0.7km north of the village of Ardingly. The works approved within Application Ref: DM/22/1680 are contained within the existing car park of the site. The Gardeners Arms is a Grade II listed building.

Planning Permission was granted on 16th June 2023 for the erection of a guest accommodation block as well as the associated works in relation to parking, infrastructure and landscaping.

Planning permission was granted subject to 10 No. Conditions, with Condition No. 1 being of relevance to this application. This states that:

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

As Planning Permission was granted on 16th June, work is required to commence on site before 16th June 2026 in order for the permission to be duly implemented. This application therefore seeks to confirm that development has begun within three years of the Planning Permission being granted.

The evidence included within this submission indicates that work has begun on site and that it is considered that these works demonstrate that a material operation has occurred as defined by Section 56 (4) of the Town and Country Planning Act 1990. This sets out what may be defined as a material operation. Included within this definition of material operations are subsections 4(b) and 4(c).

Subsection 4(b) sets out how a material operation includes the *"digging of a trench which is to contain the foundations or part of the foundations of a building"*.

The evidence contained with the submission in the form of site photographs and the detailed quote setting out the works undertaken demonstrates that a material operation has occurred.

The photographs are dated from 12th June 2026. These show the trench that has been excavated in order to begin works for the development. The timing of the photographs, indicate that the development occurred within the required three-year period as prescribed by Condition No. 1 of Planning Permission Ref: DM/22/1680

It is considered that the excavation is a material operation and that the Planning Permission have been implemented meaning that they are lawful. The work undertaken is in accordance with Subsection 4(b) of Section 56(4) of the Town and Country Planning Act, which sets out that a material operation can include the *"digging of a trench which is to contain the foundations or part of the foundations of a building"*.

Conclusion

Based on the evidence provided alongside this letter, it can be clearly demonstrated that Condition No. 1 of Permission No: DM/22/1680 has been satisfied and that the works undertaken constitute a material operation under Section 56 (4) of the Town and Country Planning Act 1990.

We trust that the above provides you with the necessary information to determine this application, however, should you have any further questions or queries, please do not hesitate to contact me.

Yours faithfully,

