

Planning Applications

Plan No	Location & Applicant	Proposal
DM/24/0335 Imberhorne	4 Chaucer Avenue East Grinstead West Sussex RH19 1SF Mr Scott Elisdon	Single storey side extension following demolition of of detached garage
DM/24/0354 Ashplats North	Land To The North Of 15 The Dell East Grinstead West Sussex RH19 3XP Oliver Wright	T1 Oak Tree reduce overhanging branches by up to 6 metres off the ground.

This is formal planning application consultation from Mid Sussex District Council, Development Management Section. The details of the application are shown below.

We would be grateful for your comments by **11th March 2024**

Please return your comments directly to the case officer, **Peter Davies**

Application details and documents can be viewed at the following web address:
<http://pa.midsussex.gov.uk/online-applications/>

Please note that there may be a delay of up to five days from the date of this consultation before documents appear on our website.

Consultee: East Grinstead

Reference: DM/24/0395

Application Type: Full Application

Proposal: Change of use from tattoo parlour (Sui Generis) to retail unit (Use Class E)

Site Address: 188 London Road East Grinstead West Sussex RH19 1EY

Grid Ref: 539028 : 138454

Applicant: Mr Myhendrarajah Mylvaganam

Case Officer: Peter Davies
peter.davies@midsussex.gov.uk
01444 477193

Ward: East Grinstead - Town

Date app. Valid: 16th February 2024

Date Consulted: 19th February 2024

Determination Date: 12th April 2024

Mrs L Libretto
Mr A Scrase
Holly Tree Surgeons Ltd
Black Dog Cottage East
Plawhatch Lane
Sharpthorne
East Grinstead
RH19 4JG

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
(TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

PERMISSION

REFERENCE: DM/24/0062

**DESCRIPTION: (T1-T4) ENGLISH OAK TREES - CROWN THIN BY 20-25%.
CROWN LIFT BY 2M.**

**LOCATION: WEAVERS, CRICKET COURT, EAST GRINSTEAD, WEST
SUSSEX**

DECISION DATE: 14 FEB 2024

CASE OFFICER: IRENE FLETCHER - IRENE.FLETCHER@MIDSUSSEX.GOV.UK

In pursuance of its powers under the above-mentioned Acts and Regulations you are hereby notified that the Council **CONSENTS** to the above works being carried out in accordance with the submitted application and subject to compliance with the following conditions:-

1. The tree works hereby permitted shall be begun before the expiration of 2 years from the date of this consent.

Reason: To accord with section 17 (4) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The work shall be carried out in accordance with BS 3998:2010 "Recommendation for Tree Work".

Reason: To ensure that the work is carried out to a satisfactory standard.

INFORMATIVES

1. Prior to the commencement of the works hereby permitted, checks shall be made for the presence of nesting birds and other wildlife protected under the Wildlife and Countryside Act 1981.

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.



Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

PETREZ

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 works or to grant it subject to conditions, then you can appeal to the Secretary of State under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

You must appeal within **28 days** of the date of the decision notice for an application for works to trees subject to a Tree Preservation Order.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 4444 5000) or online at:

<https://www.gov.uk/government/publications/tree-preservation-order-appeal-form>.

Mr Carl Goulding
154 Holtye Road
East Grinstead
West Sussex
RH19 3EA

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2017 - SCHEDULE 2, PART 1, CLASS A**

PERMISSION

REFERENCE: DM/24/0118

DESCRIPTION: PROPOSED LEAN-TO STYLE SINGLE STOREY REAR EXTENSION EXTENDING BEYOND THE REAR WALL OF THE ORIGINAL HOUSE BY 4.00M, TO A MAXIMUM HEIGHT OF 3.70M AND HEIGHT OF THE EAVES TO 2.50M.

LOCATION: 154 HOLTYE ROAD, EAST GRINSTEAD, WEST SUSSEX, RH19 3EA

DECISION DATE: 15 FEB 2024

CASE OFFICER: Andrew Horrell - ANDREW.HORRELL@MIDSUSSEX.GOV.UK

The Council hereby confirm that their **prior approval is not required** for the above development to be carried out in accordance with the information submitted:

Information submitted by the developer

Plan Type	Reference	Version	Submitted Date
Existing Floor and Elevations Plan			16.01.2024
Location and Block Plan			16.01.2024
Proposed Floor and Elevations Plan			16.01.2024

Your attention is drawn to the caveats set out below:

INFORMATIVES

1. This notice indicates that the proposed development would comply with condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. **However, you should be aware that it does**

not indicate whether the proposed development would comply with the remaining conditions or limitations of this Class. If you require a formal determination as to whether planning permission is required or not, it is open to you to submit an application for a Lawful Development Certificate.

2. The development shall be carried out in accordance with the approved details, unless the Local Planning Authority and the developer agree otherwise in writing.



Assistant Director Planning and Sustainable Economy

CEPDEZ

Mr E Tang
Mr A Reakes
27 Fairlawn Crescent
East Grinstead
West Sussex
RH19 1NX

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

PERMISSION

REFERENCE: DM/23/3240

DESCRIPTION: PROPOSED SINGLE STOREY SIDE EXTENSION AND GARAGE CONVERSION.

LOCATION: 46 MINDELHEIM AVENUE, EAST GRINSTEAD, WEST SUSSEX, RH19 3UU

DECISION DATE: 15 FEB 2024

CASE OFFICER: ANDREW WATT - ANDY.WATT@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:-

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. The materials and finishes of the external walls and roof(s) of the development hereby permitted shall match in colour and texture those of the existing building as closely as possible and be implemented in accordance with the submitted schedule on 13 February 2024, 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 EG3 of the East Grinstead Neighbourhood Plan.

INFORMATIVES

1. 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

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
Location and Block Plan	JBD/RH19/3UU/050	A	21.12.2023
Existing Floor Plans	JBD/RH19/3UU/051	A	21.12.2023
Proposed Floor Plans	JBD/RH19/3UU/052	A	21.12.2023

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Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

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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.

As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

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 planning 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](#).



Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Switchboard 01444 458166
DX 300320 Haywards Heath 1
www.midsussex.gov.uk

Mr Julian Walker
Brookworth Homes Limited / Queen Victoria
Hospital NHS Foundation Trust
Brookworth House
99 Bell Street
Reigate
Surrey
RH2 7AN

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

PERMISSION

REFERENCE: DM/21/1842

DESCRIPTION: ERECTION OF 30 DWELLINGS ALONG WITH ACCESS FROM OAKFIELD WAY ALONG WITH PARKING AND LANDSCAPING. (AMENDED PLANS RECEIVED 17/12/21 SHOWING AMENDMENTS TO THE SCHEME INCLUDING DESIGN AND LAYOUT CHANGES AND ADDITIONAL UNITS) (ADDITIONAL HIGHWAYS INFORMATION RECEIVED 21/3/22 AND AMENDED PLANS AND SUSTAINABILITY STATEMENT RECEIVED 21/4/22). ADDITIONAL HIGHWAYS/ACCESS PLANS RECEIVED 16/8/22, APARTMENT BUILDING CHANGES 14/9 AND AMENDED LANDSCAPE PLANS RECEIVED 18/11/22). (BNG DETAILS SUBMITTED)

LOCATION: LAND AT QUEEN VICTORIA HOSPITAL, HOLTYE ROAD, EAST GRINSTEAD, WEST SUSSEX

DECISION DATE: 15 FEB 2024

CASE OFFICER: STUART MALCOLM - STUART.MALCOLM@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:-

1. Time limit

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.

Pre- development

2. No development shall be carried out above slab/ground floor level until a schedule and/or samples of materials and finishes to be used for the external walls, roofs and fenestration of the proposed buildings have been submitted to and approved in writing 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 EG3 of the East Grinstead Neighbourhood Plan.

3. Prior to the commencement of any development above ground/slab level, 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 all hard surfacing materials, car parking layouts and means of enclosures and other boundary treatments including the screening of the parking adjacent to plots 16 and 17.

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 Policies DP26 of the Mid Sussex District Plan and Policy EG3 of the Neighbourhood Plan.

4. Prior to the commencement of construction of any dwelling or building subject of this permission, including construction of foundations, full details of a soft landscaping scheme shall be submitted to and approved by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. These works shall be carried out both as approved and prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a development of visual quality and to accord with Policies DP26 of the Mid Sussex District Plan and Policy EG3 of the Neighbourhood Plan.

5. 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, in consultation with Southern Water. No residential unit 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 and Policy DP41 of the Mid Sussex District Plan.

6. No development shall take place until details of the existing and proposed site 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 amenities of adjacent or future residents or the appearance of the locality and to accord with Policy DP26 of the Mid Sussex District Plan.

7. No development shall take place unless and until a 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 (Priority habitats & species) and to accord with Policy DP38 of the District Plan.

8. No development shall take place, including any works of demolition, until a Construction and Environmental 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;

- details of how construction and delivery traffic will avoid the primary school pick up and drop off times;
- 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;
- measures to control noise and vibration affecting nearby residents;
- artificial illumination;
- pollution incident control; and
- dust control measures.

Reason: In the interests of highway safety and the amenities of the area, to protect the amenity of local residents from noise and dust emissions during construction and to comply with Policies DP21, DP26 and DP29 of the Mid Sussex District Plan and Policy EG11 of the East Grinstead Neighbourhood Plan.

9. 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, including the identification and removal of asbestos containing materials, shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways, and receptors
- potentially unacceptable risks arising from contamination at the site

and, unless otherwise agreed in writing by the LPA,

b) A site investigation scheme, based on (a) to 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 LPA,

c) Based on the site investigation results and the detailed risk assessment (b) 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 and to accord with the NPPF.

10. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMP will set out measures to secure the necessary BNG, in accordance with the details secured by conditions 19 and 20, and shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. This LEMP shall apply to and cover a period of 30 years to deliver the required condition of habitats created.

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 (Priority habitats & species) and to comply with Policy DP38 of the District Plan.

11. No development shall be carried out above slab/ground floor level until there has been submitted to the local planning authority for its approval in writing, a scheme for protecting the residential units from noise generated by road traffic or other external sources. The scheme shall include an Acoustic Design Statement in line with the recommendations of ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise 2017 and shall ensure that internal and external noise levels are in accordance with BS 8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings.

Noise from individual external events typical to the area shall not exceed 45dB LAmax when measured in bedrooms internally between 23:00 and 07:00 hours, post construction unless otherwise agreed in writing with the LPA. Where the internal noise levels will be exceeded by more than 5dB with windows open, then the applicant shall submit details of an alternative means of ventilation with sufficient capacity to ensure the thermal comfort of the occupants with windows closed. Noise levels in gardens and public open spaces shall not exceed 55 dB LAeq 1 hour when measured at any period unless otherwise agreed in writing. All works that form part of the scheme shall be completed before the noise sensitive development is occupied.

Reason: In the interests of future occupiers amenity and to comply with Policy DP26 of the District Plan.

12. Prior to the commencement of any development above ground/slab level details, a scheme of mitigation measures to improve air quality relating to the development shall be submitted to, and approved in writing by, the Local Planning Authority. The

scheme shall be in accordance with, and to a value derived in accordance with, the "Air Quality and Emissions Mitigation Guidance for Sussex" which is current at the time of the application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: to preserve the amenity of local residents regarding air quality and emissions and to accord with Policy DP26 of the District Plan and Policy SA38 of the Site Allocations DPD.

13. Prior to the commencement of any development above ground/slab level, details showing the proposed location of the required fire hydrants or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) 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.

14. Notwithstanding any information submitted to the contrary, prior to the commencement of any development above ground/slab level, details showing the following elements shall be submitted to and approved in writing by the local planning authority:

- footway construction specification where it follows the line of the public footpath (1hEG)
- a detailed drawing at the appropriate small scale showing how the public footpath (1hEG) is going to tie in with the Definitive Line where it turns south along the southern boundary of the application site and the footpath then extends beyond the application site.

Reason: To provide safe and convenient routes for rights of way users and to comply with Policy DP22 of the Mid Sussex District Plan.

Construction Phase

15. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or Bank/Public Holidays or at any time other than between the hours 8am and 6pm on Mondays to Fridays and between 9am and 1pm Saturdays.

Reason: To safeguard the amenities of nearby residents and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan.

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

- Monday to Friday: 08:00 - 18:00 hrs
- Saturday: 09:00 - 13:00 hrs
- Sundays and Bank/Public Holidays: None permitted

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

17. 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 LPA.

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.

18. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the UK Habs and BNG Assessment (ACD Environmental, October 2023), Biodiversity Defra Metric 4.0, Preliminary Ecological Appraisal (PJC Consultancy Ltd., January 2021) and the Ecological Survey Report (PJC Consultancy Ltd., November 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Reptile Precautionary Method Statement in Sections 4.5.4 - 4.5.8 of the Ecological Survey Report (PJC Consultancy Ltd., November 2019) which avoid 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 (Priority habitats & species) and to comply with Policy DP38 of the District Plan.

Pre-Occupation Conditions

19. Prior to the occupation of any dwelling hereby permitted, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (PJC Consultancy Ltd., January 2021) and the Ecological Survey Report (PJC Consultancy Ltd., November 2019) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

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

20. Prior to the occupation of any dwelling hereby permitted, a lighting design scheme for biodiversity based on GN: 08/23 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 (Priority habitats & species) and to comply with Policy DP38 of the District Plan.

21. 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.

22. No part of the new development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on drawing no: BWH-QVH-SKETCH-003 Rev: P3.

Reason: In the interests of road safety and to comply with Policy DP21 of the Mid Sussex District Plan and Policy EG11 of the East Grinstead Neighbourhood Plan.

23. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide car parking and turning space and to comply with Policy DP21 of the Mid Sussex District Plan.

24. 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 in writing 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 to comply with Policy DP21 of the Mid Sussex District Plan.

25. Before the development hereby permitted is occupied, the refuse and recycling areas shall be provided as part of the development in accordance with details, including elevational drawings of any enclosures where relevant, to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area, to comply with Policy DP26 of the Mid Sussex District Plan and Policy EG3 of the East Grinstead Neighbourhood Plan.

26. The development shall be constructed in accordance with the applicant's Sustainability and Energy Assessment (BlueSky Unlimited, April 2022). No part of the development shall be first occupied unless or until the details of the PV arrays (siting, design and roof section) and air source heat pumps (siting and design) have been submitted to and approved in writing by the local planning authority with the development proceeding only in accordance with these approved details.

Reason: In the interests of sustainability and to accord with Policy DP39 of the District Plan.

27. 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 LPA 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.

28. 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.

Post-occupation monitoring / management conditions

29. Upon the first occupation, the applicant shall provide each new and occupier with a sustainable travel pack to promote sustainable travel to the new residents. This could include such measures as vouchers for money off bicycles, money off bus/train travel and details relating to local car share schemes and local options to travel sustainably.

Reason: To encourage and promote sustainable transport and to accord with Policy DP21 of the District Plan.

Approved Plans

30. 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 Applications'.

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

INFORMATIVES

1. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.
2. No burning of demolition/construction waste materials shall take place on site.
3. 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.
4. 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.
5. Works within the Highway - Implementation Team - The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to 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.
6. It should be clear that public rights take precedent over private rights of vehicular access therefore any vehicular use should give way to public pedestrian users. It is also important to note that any damage done to the footpath surface as part of the exercise of private vehicular rights is the responsibility of those exercising those rights to make good and any works must have a specification and method statement approved by WSCC as Highway Authority.

Any proposals that may impact the public footpath these will require WSCC's PROW teams approval before works start.

A temporary closure permit must be applied for and approved before any work can commence.
7. 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.

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	6275-MJA-SW-XX-DR-C-080	P6	25.04.2022
Levels	6275-MJA-SW-XX-DR-C-081	P4	25.04.2022
Lighting Layout/Light Pollution	6275-MJA-SW-XX-DR-C-082	P2	25.04.2022
General	6275-MJA-SW-XX-DR-C-500	P4	25.04.2022
General	6275-MJA-SW-XX-DR-C-501	P4	25.04.2022
General	6275-MJA-SW-XX-DR-C-502	P3	25.04.2022
General	6275-MJA-SW-XX-DR-C-800	P3	25.04.2022
Access Plan	6275-MJA-SW-XX-DR-C-801-	P5	25.04.2022
Other	5694/21-02	3	17.12.2021
Other	5694/21-03	2	17.12.2021
Other	6275-MJA-SW-XX-DR-C-AS/0945	P5	17.12.2021
Other	CP/2/0149/6275	C	17.12.2021
Other	211130 Acc Schedule		17.12.2021
Sections	2281-CAL-XX-XX-DR-A-0103-S3	P3	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0173_S3	P1	17.12.2021
Location Plan	0100	P4	11.05.2021
General	0100	P1	11.05.2021
Landscaping	BRO23130 10	D	18.11.2022
Landscaping Details	BRO23130 11 1	G	18.11.2022
Landscaping Details	BRO23130 11 2	G	18.11.2022
Landscaping Details	BRO23130 11 3	G	18.11.2022
Landscaping Details	BRO23130 12	1	17.12.2021
Landscaping Details	BRO23130 12	2	17.12.2021
Landscaping Details	BRO23130 12	3	17.12.2021
Proposed Floor Plans	2281-CAL-XX-XX-DR-A-0174_S3	P10	14.09.2022
Proposed Elevations	2281-CAL-XX-XX-DR-A-	P9	14.09.2022

Proposed Floor and Elevations Plan	0175_S3 2281-CAL-XX-XX-DR-A-0176_S3	P9	14.09.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0177_S3	P8	14.09.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0156_S3	P3	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0158_S3	P2	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0160_S3	P3	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0162_S3	P2	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0164_S3	P2	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-166_S3	P3	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0170_S3	P3	25.04.2022
Proposed Floor and Elevations Plan	2281-CAL-XX-XX-DR-A-0171_S3	P4	25.04.2022
Landscaping Details	BRO23130 11	F	18.11.2022
Access Plan	BWH-QVH-SKETCH-004	P1	16.08.2022
Access Plan	BWH-QVH-SKETCH-003	P3	16.08.2022
Site Plan	2281-CAL-XX-XX-DR-A-0101_S3-P15	P17	14.09.2022

SA Blenheim

Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

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 of the date of this notice;

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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

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 planning 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](#).

This is formal planning application consultation from Mid Sussex District Council, Development Management Section. The details of the application are shown below.

We would be grateful for your comments by **5th March 2024**

Please return your comments directly to the case officer, **Irene Fletcher**

Application details and documents can be viewed at the following web address:
<http://pa.midsussex.gov.uk/online-applications/>

Please note that there may be a delay of up to five days from the date of this consultation before documents appear on our website.

Consultee: East Grinstead

Reference: DM/24/0354

Application Type: Tree Surgery

Proposal: T1 Oak Tree reduce overhanging branches by up to 6 metres off the ground.

Site Address: Land To The North Of 15 The Dell East Grinstead West Sussex RH19 3XP

Grid Ref: 540843 : 138331

Applicant: Michael Whitehead

Case Officer: Irene Fletcher
irene.fletcher@midsussex.gov.uk
01444 477383

Ward: East Grinstead - Ashplats

Date app. Valid: 13th February 2024

Date Consulted: 13th February 2024

Determination Date: 9th April 2024

This is formal planning application consultation from Mid Sussex District Council, Development Management Section. The details of the application are shown below.

We would be grateful for your comments by **7th March 2024**

Please return your comments directly to the case officer, **Andrew Horrell**

Application details and documents can be viewed at the following web address:
<http://pa.midsussex.gov.uk/online-applications/>

Please note that there may be a delay of up to five days from the date of this consultation before documents appear on our website.

Consultee: East Grinstead

Reference: DM/24/0335

Application Type: Lawful Development Certificate -Proposed

Proposal: Single storey side extension following demolition of of detached garage. This is an application to establish whether the development is lawful. This will be a legal decision where the planning merits of the proposed use cannot be taken into account.

Site Address: 4 Chaucer Avenue East Grinstead West Sussex RH19 1SF

Grid Ref: 538172 : 138059

Applicant: Sharon Angelique

Case Officer: Andrew Horrell
andrew.horrell@midsussex.gov.uk
01444 477446

Ward: East Grinstead - Imberhorne

Date app. Valid: 9th February 2024

Date Consulted: 15th February 2024

Determination Date: 5th April 2024

