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

PERMISSION

REFERENCE: DM/20/0487

DESCRIPTION: (AMENDED DESCRIPTION 13/02/2020, ADDITIONAL PLANS RECEIVED 10/03/2020) VARIATION TO CONDITION 2 RELATING TO PLANNING APPLICATION DM/19/0964, TO AMEND THE INTERNAL LAYOUT OF THE PROPOSED BASEMENT EXTENSION AND THE FENESTRATION ON THE WEST SIDE ELEVATION.

LOCATION: CUCKFIELD GOLF COURSE, STAPLEFIELD ROAD, CUCKFIELD, HAYWARDS HEATH

DECISION DATE: 3 APR 2020

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:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of planning permission DM/19/0964.

Reason: To comply with Section 73 of the Town and Country Planning Act 1990.

Approved Plans

2. 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 external materials shall be used other than those specified on the approved plans and application details without the prior approval of the Local Planning Authority.

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

4. Plant & Machinery: Unless otherwise agreed in writing, noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest noise sensitive premises, shall not exceed 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. Details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the new ventilation system is brought into use at the establishment and thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of neighbouring properties and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

5. The new ventilation system shall be installed and used in accordance with the Odour Assessment submitted on the 8th May 2019 and the details submitted on 29th August 2019 under DM/19/0964.

Reason: to protect the amenity of neighbouring properties and to accord with Policies DP26 and DP29 of the Mid Sussex District Plan 2014 - 2031.

6. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the visual appearance of the area and to accord with Policies DP16 and DP26 of the Mid Sussex District Plan 2014 - 2031.

7. The proposed first floor roof space hereby approved shall be used as a store and office and no other purpose unless planning permission is specifically granted by the Local Planning Authority.

Reason: For the avoidance of doubt, to control the development in accordance with the application and to comply with Policies DP15 and DP26 of the Mid Sussex District Plan 2014- 2031.

INFORMATIVES

1. 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.

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 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.

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 Floor Plans	0219/BR1		06.02.2020
Proposed Elevations	0219/PA3	D	01.04.2020
Proposed Floor Plans	0219/BR3		10.03.2020
Proposed Floor Plans	0219/BRX2		10.03.2020
Location Plan			06.03.2019
Existing Floor and Elevations Plan	0129/PA1	A	10.04.2019
Location Plan	0129/PA7	B	22.07.2019
Block Plan	0219/PA6	B	22.07.2019
Ventilation/Extraction Details	extraction details		24.05.2019



Divisional Leader for Planning and Economy

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

PECNDZ

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.](#)