

Hartmires Investments Ltd
Mr Alex Yearsley
Future Planning And Development Ltd
28 Queen Street
London
EC4R 1BB

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

PERMISSION

REFERENCE: DM/15/1035

DESCRIPTION: CHANGE OF USE TO NATURAL BURIAL GROUND AND THE ERECTION OF A RECEPTION BUILDING WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (ADDITIONAL SUPPORTING INFORMATION RECEIVED 11 JUNE 2015).

LOCATION: LAND PARCEL NORTH OF TURNERS HILL ROAD, TURNERS HILL, WEST SUSSEX,

DECISION DATE: 11 SEP 2015

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. No development shall commence until a schedule and/or samples of materials and finishes to be used for the external walls, windows, doors and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with policy B1 of the Mid Sussex Local Plan and policy DP24 of the draft Mid Sussex District Plan.

3. The development shall be carried out in strict accordance with the Proposed Hedgerow Translocation Mitigation Strategy (shown in drawing nos. LLD787/11 Rev 01, LLD12 Rev 01, 13 Rev 01, 14 Rev 01), with details of the proposed Contractors to be specified and agreed in advance with the Local Planning Authority, and no development shall commence unless and until there has been submitted to and approved in writing by the Local Planning Authority full details of both hard and soft landscaping, which 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, and plan and elevation details of the boundary enclosures and these works shall be carried out as approved.

Reason: In the interests of visual amenity and of the environment of the development and the biodiversity of the area and to accord with policies C1, C5, C6 and C10 of the Mid Sussex Local Plan and policies DP10, DP36 and DP37 of the draft Mid Sussex District Plan.

4. Hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the completion of the 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: In the interests of visual amenity and of the environment of the development and to accord with policies C1 and C10 of the Mid Sussex Local Plan and policies DP10 and DP36 of the draft Mid Sussex District Plan.

5. The development hereby permitted shall be implemented in accordance with the recommendations and mitigation measures identified in the submitted Extended Phase 1 Habitat Survey, Great Crested Newt Survey and Reptile Survey by Urban Edge Environmental Consulting dated January 2015.

Reason: To safeguard the ecology of the area and to comply with policy C5 of the Mid Sussex Local Plan, paragraph 109 and 118 of the NPPF and policy DP37 of the draft Mid Sussex District Plan.

6. No development shall be carried out until a detailed survey and plan of the water table has been submitted to and approved in writing by the Local Planning Authority demonstrating that all burials in the cemetery will be:
- a minimum of 50 m from a potable groundwater supply source;
 - a minimum of 30 m from a water course or spring; and
 - a minimum of 10 m distance from field drains.

No burials shall be undertaken into standing water and the base of the grave must be above the local water table; and nor shall there be any burial of embalmed bodies on this site. This plan may be based upon the sketch plan submitted on 12 August 2015.

Reason: To protect controlled waters and to comply with policy CS20 of the Mid Sussex Local Plan, policies DP1 and DP42 of the draft Mid Sussex District Plan and paragraph 109 of the National Planning Policy Framework, which states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

7. If, during development and when groundworks are undertaken, including the digging of graves, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)) shall be carried out until the developer or operator of the site has submitted a method statement/remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The Method Statement must detail how this unsuspected contamination should be dealt with and the remediation strategy shall be implemented as approved.

Reason: To protect controlled waters and to comply with policy CS20 of the Mid Sussex Local Plan, policies DP1 and DP42 of the draft Mid Sussex District Plan and paragraph 109 of the National Planning Policy Framework, which states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

8. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To protect groundwater and to comply with policy CS20 of the Mid Sussex Local Plan, policies DP1 and DP42 of the draft Mid Sussex District Plan and paragraph 109 of the National Planning Policy Framework, which states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

9. No development shall commence until the vehicular access serving the proposed use has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety and to comply with policy T4 of the Mid Sussex Local Plan and policy DP19 of the draft Mid Sussex District Plan.

10. No part of the development shall be commenced until visibility splays of 2.4 metres by 160 metres have been provided at the proposed site vehicular access onto Turners Hill Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to comply with policy T4 of the Mid Sussex Local Plan and policy DP19 of the draft Mid Sussex District Plan.

11. 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, unless otherwise agreed in writing by the Local Planning Authority. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the proposed use and to comply with policy T4 of the Mid Sussex Local Plan and policy DP19 of the draft Mid Sussex District Plan.

12. No development shall be carried out until details of the crossing point from the proposed footpath to the footpath on the opposite side of Turners Hill Road has been submitted to and approved in writing by the Local Planning Authority, and the works shall be implemented in accordance with the approved plans and thereafter be retained.

Reason: In the interests of highway safety, and to comply with policy T4 of the Mid Sussex Local Plan and policy DP19 of the draft Mid Sussex District Plan.

13. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority, to whom a planning application must be made.

Reason: To safeguard the visual appearance of the area, and to accord with policies B1 and B24 of the Mid Sussex Local Plan and policy DP27 of the draft Mid Sussex District Plan.

14. The applicant shall keep records of all burials having taken place on site and the file shall be made available for inspection by the Local Planning Authority as reasonably necessary.

Reason: To ensure that only natural burials take place on the site and to comply with policy CS20 of the Mid Sussex Local Plan, policies DP1 and DP42 of the draft Mid Sussex District Plan and paragraph 109 of the National Planning Policy Framework.

15. No permanent markers, tombstones, monuments, grave edging, formal seating, footpaths or roads shall be erected or installed on the site without the prior written approval of the Local Planning Authority.

Reason: To protect the character of the area and to ensure that only natural burials take place on the site and to comply with policy C1 of the Mid Sussex Local Plan and policy DP10 of the draft Mid Sussex District Plan.

16. No development shall take place until details of the materials to be used on the surface of the car parking area and footpath link have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to accord with policy B1 of the Mid Sussex Local Plan and policy DP24 of the draft Mid Sussex District Plan.

17. No development shall be carried out until details and positioning of the vehicular access gate have been submitted to and approved in writing by the Local Planning Authority, and the works shall be implemented in accordance with the approved plans and thereafter be retained.

Reason: In the interests of highway safety, and to comply with policy T4 of the Mid Sussex Local Plan and policy DP19 of the draft Mid Sussex District Plan.

INFORMATIVES

1. 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: <http://www.midsussex.gov.uk/9276.htm> (Fee of £97 will be payable). 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.
2. 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.
3. 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.
4. The applicant is advised to enter into a legal agreement with 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.

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
Other	LLD/787/11	01	11.06.2015
Other	LLD/787/13	01	11.06.2015
Other	LLD/787/14	01	11.06.2015
Other	LLD/787/12	01	11.06.2015
Location Plan	5614/LP		09.03.2015
Block Plan	5614/FBP		09.03.2015
Landscaping	LLD787/03		09.03.2015
Landscaping	LLD787/02		09.03.2015
Proposed Floor and Elevations Plan	5614/1		09.03.2015
Block Plan	5614/2C		09.03.2015
Other	LLD787/04	tree planting	09.03.2015
Location Plan	LLD787/01		09.03.2015

A handwritten signature in black ink, appearing to read "A. Fisher".

Head of Economic Promotion and Planning

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 for the Environment under Section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a minor commercial 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 12 weeks in the case of a householder appeal of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.

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.