

Formal Representation – Outline Planning Application Ref: DM/25/3129

I write further to the above outline planning application in my capacity as the owner of Saxonmead, one of four residential properties on Borde Hill Lane whose rear boundaries directly abut the application site.

I have already submitted a formal objection during the consultation period. This representation is made further to the recent site meeting with Mr Steven King on 3 June, and is intended to ensure that the full extent of the harm to the amenity of the immediately adjoining properties is properly understood and taken into account in the determination of the application.

Impact on adjoining residential amenity

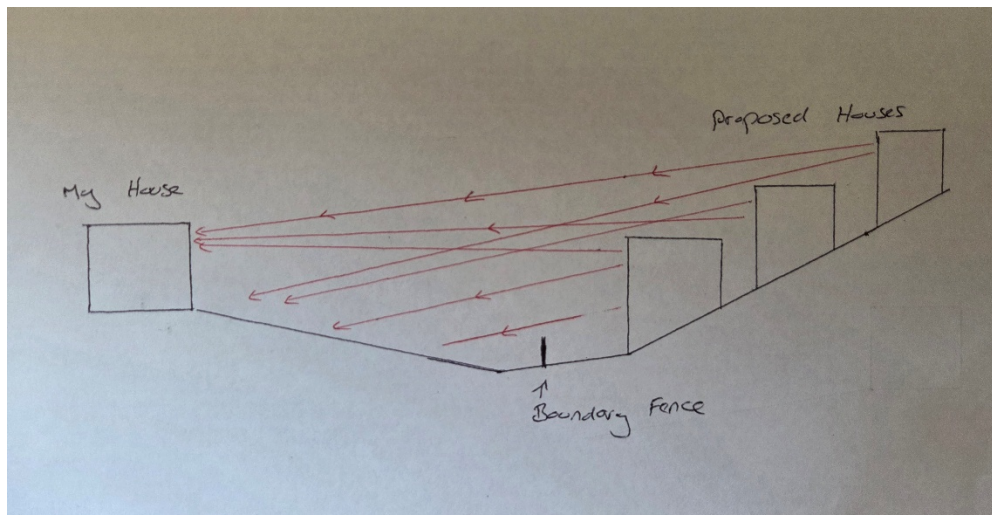
The illustrative layout and parameter plans show residential development proposed in very close proximity to the rear boundaries of the existing dwellings on Borde Hill Lane, on rising land. For the four properties concerned, this arrangement would result in an exceptional degree of overlooking, loss of privacy, increased noise and light spill, and a fundamental change in outlook and residential character.

The proposed orientation places rear-facing elevations and gardens directly towards our homes and gardens, resulting in a substantial number of windows in close proximity to our boundaries. This effect is significantly exacerbated by the site topography. As observed during the site visit, the land dips at the bottom of my garden before rising again across the application site, creating a “double impact”: overlooking into the garden and, because my house then sits relatively elevated, overlooking directly into the house itself.

In my case, windows from the proposed development would have direct views into the majority of my home. Of the eleven rooms in the house, seven have outlooks towards the rear, including first-floor and upper-floor rooms, including the main front bedroom which has a rear facing window. This means the development would allow views into almost every part of my home, not merely the garden. This level of overlooking goes beyond what could reasonably be described as an acceptable relationship between existing and new residential development.

As discussed with Mr King, the relevant test is whether significant harm would be caused. With a row of ten houses proposed immediately behind our boundaries — including several directly aligned with my garden and home — combined with rising land levels that allow further dwellings upslope to look back towards the house, the resulting impact can only properly be described as **significant harm to residential amenity**.

Here is a rough sketch of how the proposed layout will cause maximum overlooking and loss of amenity:



Given the scale of overlooking into both private garden space and principal habitable rooms, the level of impact in this case is materially greater than that typically associated with standard residential back-to-back relationships and should be assessed accordingly.

Scale of development

While I understand that wider housing need is a material consideration, I respectfully submit that it does not justify a scheme which gives rise to significant and avoidable harm to the amenity of immediately adjoining residential properties.

In my submission, the current scheme does not demonstrate that development at this scale can be achieved without causing unacceptable harm to adjoining residential amenity. The way in which the layout currently relies on development immediately adjacent to existing boundaries suggests that the site, as configured, struggles to accommodate the proposed level of development without creating significant adverse impacts. The District Plan determined that the site would be suitable for up to 60 houses. The purpose of the Outline application is to determine if the site can support 117 houses and as well as the hundreds of objections setting out all the reasons why it does not, it is also clear to me, for the reasons set out in this representation, that almost doubling the proposed number of houses simply causes too much harm in every metric. The 57 additional houses takes the development from one that could be acceptable and preserve the countryside and suburban setting to one that pushes houses up against the boundaries of all the adjoining properties creating a dense urban landscape in every direction you look.

Existing outlook and character

I attach photographs showing the current outlook from my garden and home, together with a visualisation illustrating the likely effect of the proposed layout. Despite being on the edge of Haywards Heath, these properties currently enjoy a strong sense of privacy, openness and tranquillity derived from the adjoining fields and the absence of overlooking.

The proposal would replace this with a dense residential development of up to 117 dwellings, positioned only metres from our rear boundaries and oriented directly towards our homes. The change would be permanent and would fundamentally alter how our homes and gardens can be used and enjoyed on a daily basis, resulting in a significant loss of residential amenity.

Outline application – need for safeguards now

I recognise that this is an outline application. However, it is precisely for that reason that I respectfully submit that appropriate safeguards must be secured at this stage. If the fundamental relationship between the new development and the existing boundary properties is fixed now without proper parameters, there is a real risk that unacceptable amenity impacts will become difficult to remedy at Reserved Matters stage.

Landscape buffer and layout amendment

In particular, I ask the council to give careful consideration to the need for a clear landscaped buffer zone between the rear boundaries of the four existing properties on Borde Hill Lane and any new residential development.

The ten houses currently proposed immediately behind our rear boundaries should, in my submission, be removed from that location and either omitted or relocated elsewhere within the site, with this area instead forming a landscaped buffer. While I maintain that the overall scale of development is a concern, if the council is minded to approve this quantum of development, there are clearly alternative ways in which the site could be arranged without placing housing directly against existing residential boundaries.

The current layout places a **disproportionate burden on the immediately adjoining properties** in order to achieve the proposed density.

Given the proximity of the site and the change in land levels, any buffer would need to incorporate substantial and effective screening, including tall, dense, evergreen planting, to provide meaningful protection for privacy and residential amenity. I respectfully request that the principle of this buffer is secured at outline stage through parameters or robust conditions, rather than deferred entirely to Reserved Matters.

I also ask that consideration is given to requiring appropriate boundary treatment, including the provision of a tall, high-quality close-board fence along the shared rear boundaries of the four properties.

Landscape and Visual Impact Assessment

I note from the applicant's updated Landscape and Visual Impact Assessment that Moderate Adverse visual effects are identified for residents immediately adjoining the site, including properties along Borde Hill Lane, particularly in the early years following development, with reliance placed on landscape planting over time to reduce these effects.

However, the proposed mitigation is largely focused internally within the site and along road frontages. No meaningful landscape buffer or structural planting is proposed between the rear boundaries of the existing Borde Hill Lane dwellings and the housing immediately behind them. As such, the mitigation described does not materially address overlooking, loss of privacy or visual impact for the most directly affected residential receptors.

Requested actions and conditions

In light of the above, I respectfully ask that the council considers whether the applicant should be requested to amend the outline scheme to better address impacts on immediate boundary properties, including:

- redesigning the layout parameters to remove residential plots located immediately along the rear boundaries of the existing properties on Borde Hill Lane;
- relocating those plots elsewhere within the site, away from the shared boundary, where impacts on existing residential amenity would be materially reduced;
- securing a defined landscaped buffer zone between the development and the rear boundaries of the existing dwellings, providing sufficient separation and effective screening;
- ensuring that any future Reserved Matters applications are constrained by these parameters, so that unacceptable overlooking and loss of privacy cannot arise later in the process.

The attached visualisation illustrates the extent of the likely overlooking and demonstrates how this impact would be materially reduced if the boundary-adjacent row of houses were removed and replaced with a landscaped buffer.

Should the council be minded to grant outline permission, I respectfully request that strong conditions are also considered to address:

- the provision of a tall, high-quality close-board fence along the shared rear boundaries of the four properties;
- a comprehensive Construction Management Plan addressing noise, dust, vibration, lighting, construction traffic, working hours and proximity of compounds to existing dwellings. This should include a comprehensive screen along the boundaries of the four properties with consideration given to the rising land meaning it **should be more than simply boarding up and tall netted screening should be put in place along the boundary to protect from dust, lighting and visual impacts**;
- measures to minimise the impact of construction activities on the use and enjoyment of neighbouring homes and gardens;
- clear arrangements for ongoing liaison with affected boundary residents during the construction phase.

There are also a number of practical mitigation measures which, while not determinative in themselves, I believe the developer should be encouraged to explore, including provision of a safe pedestrian footpath along Borde Hill Lane and appropriate traffic and speed-management

measures. Cars and motor bikes accelerate to high speeds quickly along that road and some bikes must be going up to 80mph. I would suggest a speed camera or other traffic control measures are needed.

One final point on traffic is the unnecessarily large roundabout. I cannot understand the need for doubling the size of the roundabout. This will not ease traffic, especially on Balcombe Road heading south. The turnings into Burrell road and Mill Green Road often cause huge backups and the road is a continuous column of cars. This needs to be addressed as much as the roundabout to ease traffic.

Conclusion

My intention in making this representation is not to repeat matters already raised in objection, but to ensure that the very particular and severe impacts on the four immediately adjoining homes — and especially the degree of overlooking into the houses themselves — are fully recognised and properly addressed at this crucial outline stage.

I trust these matters will be given careful consideration as part of the council's assessment of the application.



