

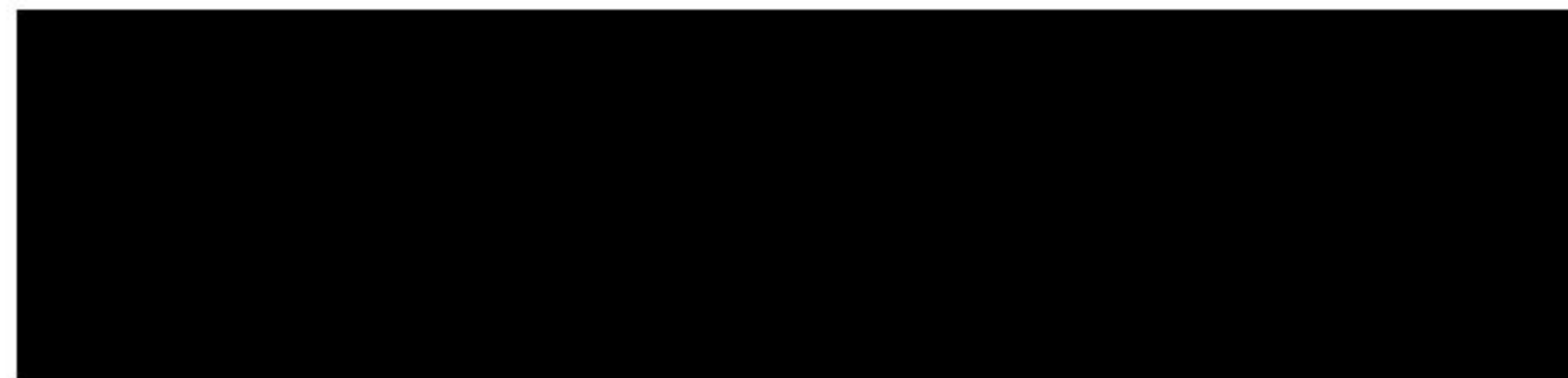
Cover Note

Dear Planning Officer,

Please find attached my formal objection to the current planning application for the Park Centre. This submission outlines specific concerns regarding breaches of local planning policy and charity law. I respectfully request that this document be added to the planning file and given full consideration during the determination process.

Should you require any further information, I would be happy to provide it.

Yours sincerely,

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Formal Objection to Park Centre Planning Application

5. Flood Risk – Objection from Mid Sussex Council Flood Risk and Drainage Team

The Mid Sussex Council Flood Risk and Drainage Team has raised a formal objection, noting:

"As per the Environment Agency standing advice for minor extensions, development within the 1:30 flood extent (Flood Zone 3b) is not permissible. Unless the applicant can clearly demonstrate that the proposed extension is outside of the area at High Risk, we will maintain our objection."

This clearly indicates that the proposed extension lies within a high-risk flood zone. Any development in Flood Zone 3b is strictly not allowed under the Environment Agency's guidelines. Furthermore, such flood risk would directly affect my property, potentially exacerbating surface water and fluvial flooding in the area. This constitutes a material planning consideration and must be treated as grounds for outright rejection of the application.


58 Park Road

10/07/2025

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

Re: Objection to Park Centre Planning Application

Dear Sir/Madam,

I write to formally object to the above-mentioned planning application for the Park Centre.

1. Breach of District Plan Policies DP26 & DP29

Policy DP26 (“Character, Design & Amenity”) expressly states:

“...development ... does not cause significant harm to the amenities of existing nearby residents ... including ... impact on privacy ... and noise, air and light pollution (see Policy DP29).”

Policy DP29 (“Noise, Air & Light Pollution”) requires that proposals:

- minimise noise impacts on health, neighbouring properties and surroundings;
- use appropriate attenuation if noise is likely to be significant;
- minimise light emissions that affect local amenity or dark landscapes.

By proposing commercial rental of the facility seven days a week, from 08:00–22:00, the Park Centre would:

- Destroy my right to privacy through continuous activity and increased comings-and-goings;
- Increase noise pollution beyond acceptable limits in a residential area;
- Potentially introduce intrusive lighting, especially during evening use.

2. Nuisance, Planning & Legal Precedent

Under *Coventry v Lawrence* [2014] UKSC 13, the Supreme Court emphasised that: “Planning permission will generally not assist a defendant to avoid liability in private nuisance ... detailed planning conditions ... may indicate what is reasonable.”

Even if permission were granted for extended hours, this would not override existing protections under the tort of nuisance, nor justify excessive noise or loss of privacy.

3. Charity Law – Misuse of Charitable Land

Trustees of a charity must act within the bounds of the charity’s objects, as confirmed in *Lehtimäki v Cooper* and *Butler-Sloss v Charity Commission*:

- Trustees owe fiduciary duties to further only stated objects;
- Use of charity-owned land for non-charitable, commercial purposes, absent authorisation, is a breach of trust and could lead to regulatory intervention.

In *Oxley Park*, the Charity Commission intervened when a leisure centre on land designated for park use was let without appropriate scheme variation, underscoring the risk when charitable purposes are exceeded.

4. Conclusion & Requested Actions

I respectfully request the Council to:

1. Reject or refuse permission for commercial use with extended hours.
2. Enforce DP26/DP29, ensuring neighbours' privacy and quiet enjoyment are protected.
3. Refer the proposal to the Charity Commission, if consent is granted, to ensure the Park Centre's trustees remain within their legal remit.
4. Consider imposing a temporary injunction or strict conditions for noise, privacy, lighting and commercial activity limits.

Should the Council seek further evidence, I can provide sworn statements detailing known noise, light and privacy impacts. I will also support legal action to protect neighbour amenity and preserve appropriate use of charitable land.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.