

Mr And Mrs T And Z Billington
Mr Tim Rodway
Rodway Planning Consultancy Limited
293 Upper Shoreham Road
Shoreham By Sea
BN43 5QA

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

REFUSAL

REFERENCE: DM/25/1014

DESCRIPTION: CHANGE OF USE FROM AGRICULTURAL LAND TO DOMESTIC GARDEN ASSOCIATED WITH THE GARDEN HOUSE.

LOCATION: THE GARDEN HOUSE, CUCKFIELD LANE, WARNINGLID, HAYWARDS HEATH

DECISION DATE: 10 JUN 2025

CASE OFFICER: CAROLINE GRIST - CAROLINE.GRIST@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The proposal would substantially increase the size of the residential curtilage, for which there is no policy justification, resulting in the harmful erosion and domestication of the countryside, thereby failing to protect its intrinsic character or beauty, and would not conserve or enhance the natural beauty of the High Weald Area of Outstanding Natural Beauty. This would also affect the public experience of the landscape to users of the adjoining public highways to the north and west of the site. The proposal therefore fails to comply with Policies DP12, DP16 and DP26 of the Mid Sussex District Plan, Policy 1 of the Slaugham Neighbourhood Plan, the Mid Sussex Design Guide SPD and the National Planning Policy Framework.

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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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 Plan			15.04.2025
Block Plan			15.04.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

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

RECOUZ

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](#).

