

7 William Allen Lane, Haywards Heath RH16 2SA

Ms J Szollosi

Mid Sussex District Council

Oaklands Road, Haywards Heath RH16 1SS

5<sup>th</sup> October 2026

Dear Ms Szollosi

**Application No DM/26/1597**

**Retrospective Application to raise land levels to create a levelled garden and install Patio – 5 William Allen Lane, Haywards Heath RH16 2SA**

I would like to object to this retrospective planning application on the grounds that my neighbours have completely taken away my privacy and enjoyment of my garden. I also believe their huge movement of earth towards my boundary has put my newly installed fence in jeopardy of collapse and also offers potential dangerous earth movement in the future.

The new neighbours applied for planning consent for an extension when they moved in, (2025) upon receipt of consent of that application, they commenced digging out their foundations late Autumn, the footings kept collapsing due to rain. In my opinion, they used the spoil from the footings to raise the level of their garden, making a great cost saving in muck away lorries, but at great expense to my privacy. It would take a vast amount of soil to raise the garden and beds to their current level. Top soil could not be used, as it would sink and not be stable to create their patio.

Their garden, was originally on two levels, the lower level nearer to my boundary was almost split down the middle with a small retaining wall and a sloping mound creating a step like appearance, it is now considerably raised and level.

I had the fence installed on all sides of my property approximately three years ago. I called in Maltby Surveys Ltd to provide a topographical survey to ensure all boundaries were correct before installing the fencing. I employed a contractor who recommended I put in fencing which he made on site. He placed posts into the ground which were set in concrete and then added horizontal rails, finally the wooden slats were attached to the posts. He also placed wooden gravel boards sitting directly on the ground to protect the base of the main fence soil moisture and rot. At no point when constructing the fences

was there anything up against the fencing to cause concern. Had there been, he would have recommended using concrete gravel boards.

I have employed a Planning Specialist to represent me Professionally, as I believe this to be a serious breach of Planning Law and also called in a fencing specialist. Neither party agree with the measurements included within the retrospective planning application.

Their reports have been included separately, I include the following with explanation.

**Photograph 1.** Level of overlooking at waist height from their patio

**Photograph 2.** Distance from patio to top of fence 34.5 ins

**Photograph 3.** Distance from the ground to the top of the patio 43.5

Added together these measurements add up to 6.6”

**Drawing 4.** This sheet of paper is all that my new neighbours have provided within their application. It is scant in detail and completely inaccurate. I have marked in red where their new terrace is and it is certainly not halfway up the fence as claimed!

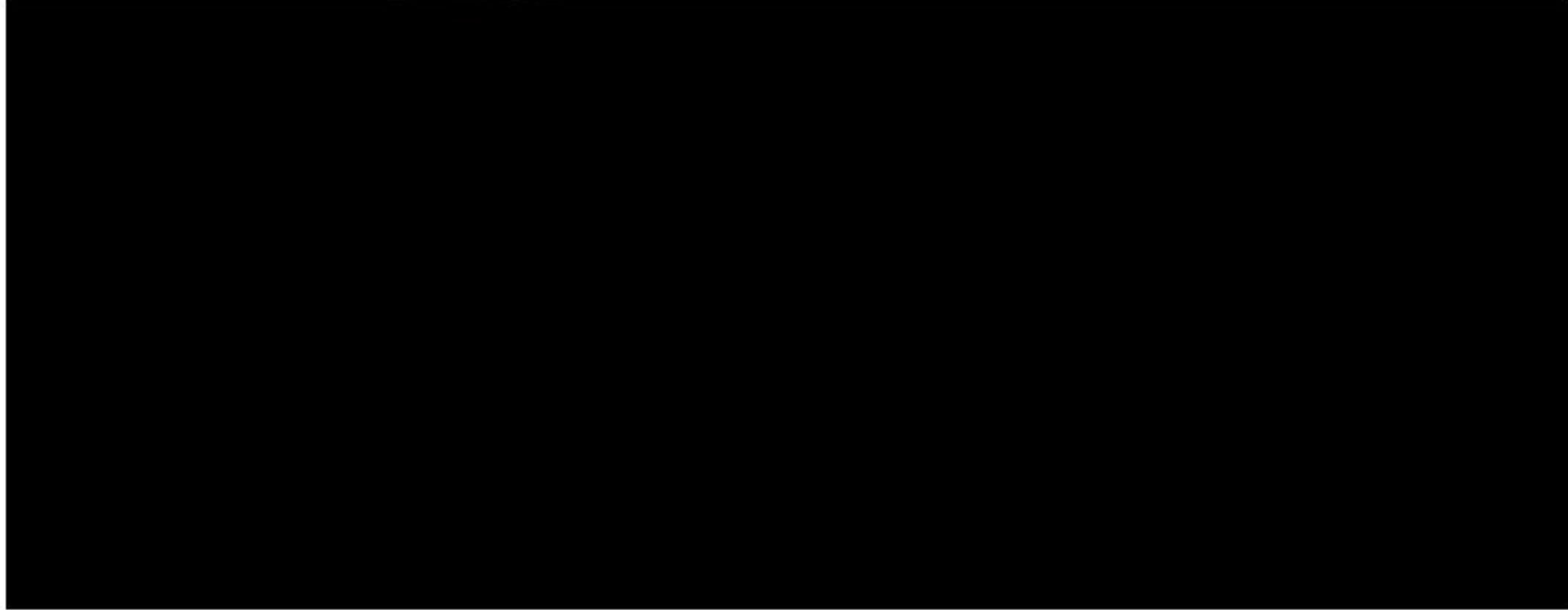
**Photograph 4.** Seeing my neighbours appear on their terrace for the first time was a shock, but seeing what lay behind the fence was also an enormous shock. The green circles show holes where soil is being washed away, there is no drainage other than down into my garden. Horizontal green shading shows wooden slatting they have attached to the fence, put concrete on top and used it for a shelf for pipes (hatched)?

The area with squiggles shows a brick wall against the fence with no footings. These footings can potentially be dislodged by soil drainage? Finally, they have attached a second wooden slat to the fence to again support their garden works. According to my professional fencer, my fence is now leaning by five inches due to the weight against it and in his opinion is likely to be pushed or blown over. This not only includes the bottom section, but as Drawing 4 indicates they have raised the boundary for most of the North West Fence line.

**Photograph 5.** Shows an area circled green, this shows a piece of saturated hardboard placed up against the fence. Despite the dry weather the gravel board is wet and disintegrating.

**Diagram 6.** Shows the area to be included within the retrospective planning application, this has altered from the initial application See **Page 8** It would appear to include a second patio which has not been built? See **Page 7** It is not retrospective as it has not been built, although it is a second patio, which I have no issue with. However, it does not state what heights will be used. Currently the dividing fence is at ground level either side, if they increased the ground level we will be facing exactly the same issue on our main garden terrace, leading from the house.

I hope these photographs, along with the above information and supporting documents from my professional team clearly demonstrate the breach of planning laws. We are left with a situation where we cannot reinstate the fence, other than to dig footings and replace with a brick wall to act as a safety barrier against collapse of their garden? There is no way we can provide privacy for the use of our garden as any increase in the height of our fencing will contravene planning laws, we are therefore completely exposed and vulnerable. We therefore ask the Planning Department to refuse planning permission and reinstate the garden to former levels, i.e with nothing backing onto our boundary fence.













Second board.

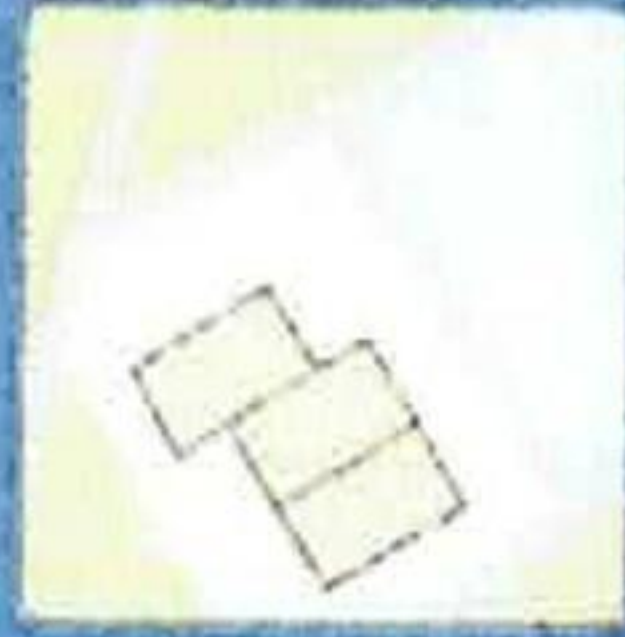
← Back wall.

Pipes.

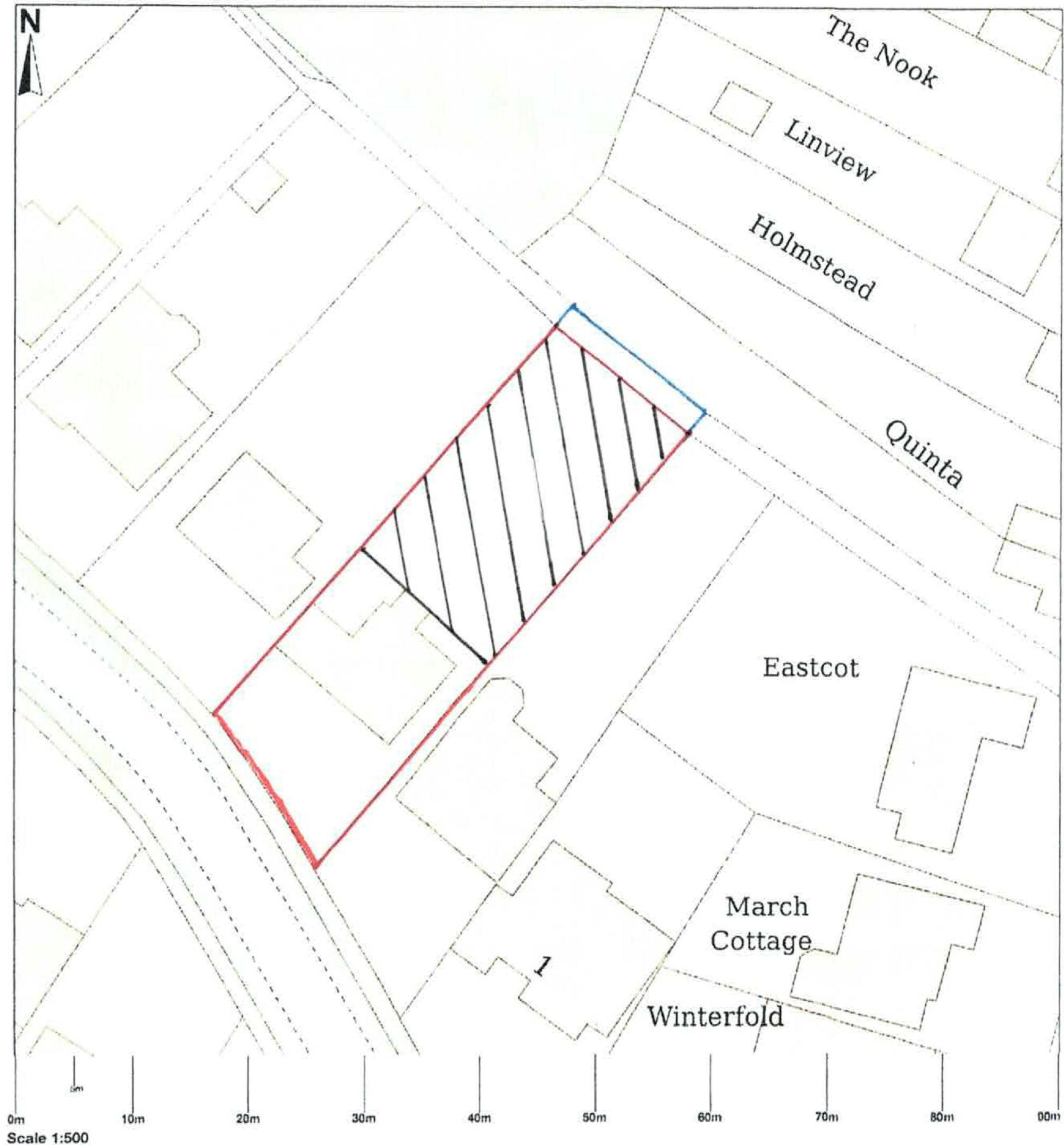
WOOD Attached.

CIRCUITS





## 5 William Allen Lane, Lindfield, Haywards Heath, RH16 2SA



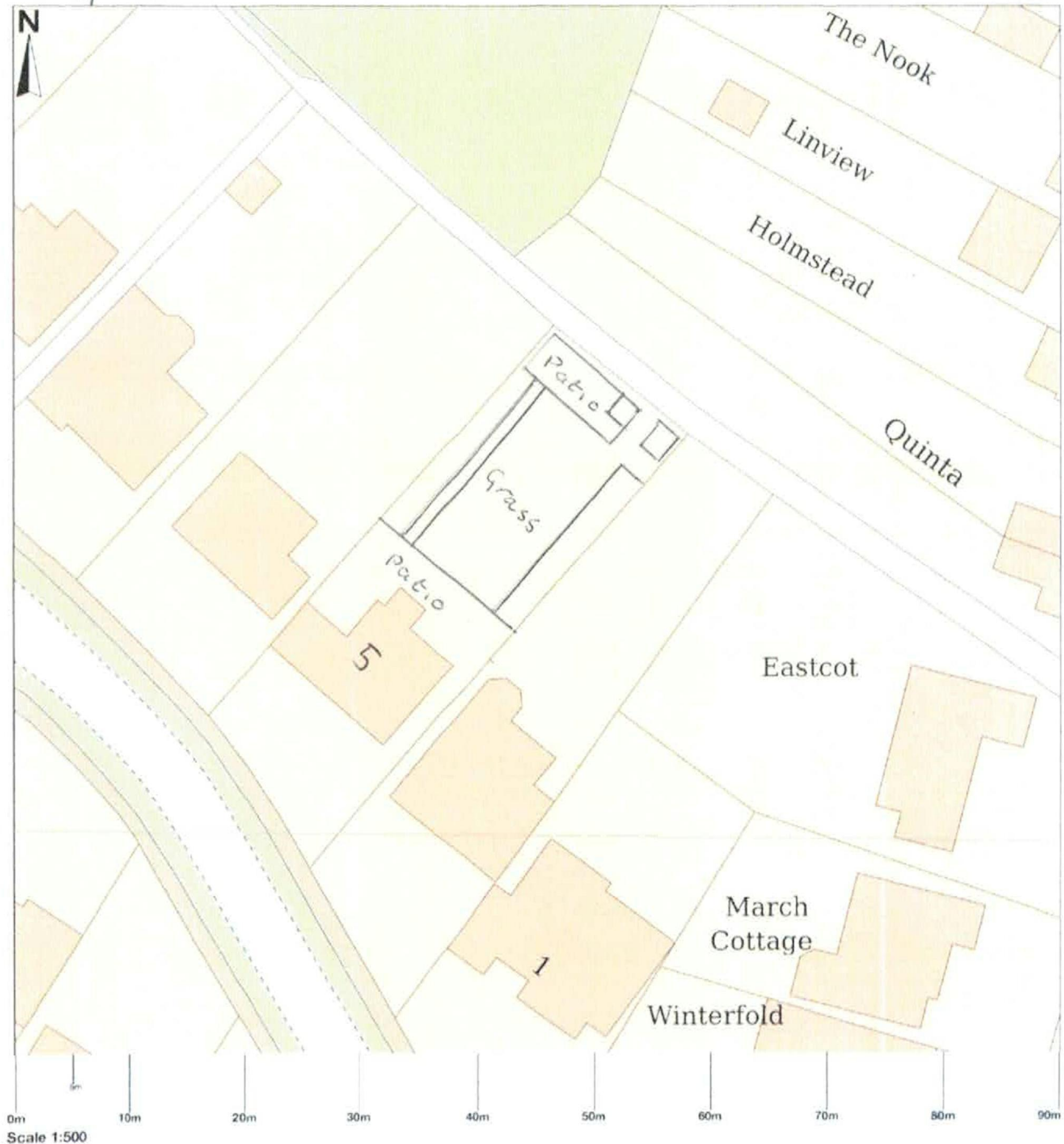
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