

From: Adrian Middle <info@lm-associates.co.uk>
Sent: 04 April 2025 11:13:43 UTC+01:00
To: "Anna Tidey" <anna.tidey@midsussex.gov.uk>; "Graham Middle" <graham.middle@lm-associates.co.uk>
Subject: RE: Request for further EOT -DM/24/2999 - 1A Lodgelands Ardingly Haywards Heath West Sussex RH17 6SD

Dear Anna,

Thank you for your response. I am aware of your recent discussions with our client, Mr Fielden, and we appreciate your continued engagement in progressing this application.

It is clear that we are now faced with two realistic options to move the application forward:

1. To appeal on grounds of non-determination; or
2. To agree a further extension of time.

While Mr Fielden is understandably frustrated with the delay, he is reluctant to pursue an appeal due to the significant time it would take—potentially 12 months. He is, therefore, willing to agree to a further extension of time. However, an extension to 11 April seems unlikely to result in a resolution within that period, and we are concerned that we may simply be in the same position again next week. To avoid repeated short extensions and to allow sufficient time to complete your report and issue a formal decision, we would suggest a revised extension until **18 April**.

With regard to your further comments on the proposed development, I would like to clarify and respond to the issues raised:

1. Planning History and Appeal Decision

It is acknowledged that earlier applications for the site were refused on the following grounds:

- Insufficient private amenity space;
- Impact on the openness of the surrounding area; and
- Proximity to the Ashdown Forest, which has since been addressed by a Section 106 agreement to mitigate recreational pressure.

In particular, application **DM/18/4704** was refused on the basis that:

"The proposed development would in principle be harmful to the character and appearance of the area, as a result of the building site coverage and consequently modest amount of garden space available to future occupiers."

(Andy Watt, MSDC Decision Notice)

This decision did not cite any harm to the amenity of neighbouring properties, and the concern was clearly limited to the **character and appearance of the development itself**, particularly in relation to **site coverage** and the **quantity of amenity space provided**.

This position was further clarified by the Planning Inspector in the subsequent appeal decision, who stated:

"The main issue in these appeals is the effect on the character and appearance of the area, with particular regard to site coverage."

The Inspector went on to conclude that the proposals would appear **somewhat cramped** in relation to the surrounding semi-rural character. However, at no point were there any concerns raised regarding the impact on neighbouring properties at 65 and 67 College Road, which are now being presented as a new point of concern.

2. Subsequent Approval – DM/22/1334

Following this, the new owners of 63 College Road submitted a revised scheme (DM/22/1334), addressing the earlier concerns by donating a portion of their rear garden to the application site. This substantially increased the level of private amenity space, and the revised application was subsequently approved by MSDC. This clearly confirms that the principle of development on the site is now established and accepted.

The current proposal remains consistent with that approval in both footprint and approach to addressing the previous issues. The design evolution has been entirely responsive to the earlier decisions and the Inspector's conclusions.

3. Proposed Building Height and Neighbouring Impact

The proposed ridge height under the current scheme is not considerably higher than that of the previously approved chalet bungalow and the current proposal would have no significantly greater impact on neighbouring properties in terms of massing or overshadowing. It is therefore unclear how any new objection on these grounds could be sustained, especially in light of the Inspector's silence on the matter in the previous appeal.

In summary, the current application is a logical and policy-compliant evolution of the site's planning history. All previous reasons for refusal have been addressed through design amendments and site layout improvements, which were accepted under application DM/22/1334. The Planning Inspector's decision forms a material consideration and made no reference to harm to neighbouring properties, which now appears to be the focus of your concern. As such, we respectfully suggest this issue has limited relevance in determining the current proposal.

Kind regards

[Adrian Middle](#)

L.M. Associates Ltd

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From: Anna Tidey [mailto:anna.tidey@midsussex.gov.uk]

Sent: 04 April 2025 08:10

To: Adrian Middle; Graham Middle

Subject: RE: Request for further EOT -DM/24/2999 - 1A Lodgelands Ardingly Haywards Heath West Sussex RH17 6SD

Dear Adrian

Thank you for your email. I apologise for my delay in responding to you.

I have spoken to your client this week regarding the outstanding Drainage comments. I have explained that I cannot take this application to a decision until I have these comments to include in my report. I am aware that the Drainage Engineers are coping with a heavy workload currently, and I have been chasing a response from them. I will continue to do this to enable a decision to progress as soon as possible.

I also raised my concerns regarding the current application with your client. We have discussed the position and height of the proposed buildings on the plot relative to the form and layout of the adjacent dwellings. The pegged out positions of the proposed

dwellings on the land was particularly helpful to illustrate this relationship. Having reviewed the planning history for the site I have highlighted that I will need to give careful consideration to the former decisions/Appeal decisions for this site to maintain a consistency of decisions.

The agreed Extension of time (EOT) for the Decision Target date to 28.03.2025 has now passed. Unfortunately as I am still awaiting the Drainage comments I have to request a further EOT.

Please can I request this now runs to 11.04.2025 to allow for the receipt of the awaited Drainage comments.

I look forward to hearing from you on this matter.

Thank you.
Regards
Anna

Submit your planning application online.

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<http://www.planningportal.gov.uk>

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From: Adrian Middle <info@lm-associates.co.uk>
Sent: 27 March 2025 11:02
To: Anna Tidey <anna.tidey@midsussex.gov.uk>
Cc: rjfielden1@btinternet.com; 'graham.middle' <graham.middle@lm-associates.co.uk>
Subject: RE: Request for further EOT -DM/24/2999 - 1A Lodgelands Ardingly Haywards Heath West Sussex RH17 6SD

Hi Anna,

Graham is currently on annual leave until he 7th April, however I have spoken with my client and he has confirmed the extension of time is acceptable as proposed. However Mr Fielden has requested that should a response not be forthcoming from the drainage consultee can this element not just be made conditional?

Mr Fielden has also asked what the likely outcome is going to be, i.e. could you advise your current views prior to a decision being made as it will give Mr Fielden an opportunity to address any concerns you may have.

Kind regards

Adrian Middle

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From: Anna Tidey [<mailto:anna.tidey@midsussex.gov.uk>]
Sent: 27 March 2025 09:08
To: Graham Middle
Subject: Request for further EOT -DM/24/2999 - 1A Lodgelands Ardingly Haywards Heath West Sussex RH17 6SD

Dear Graham

I have been reviewing this application again, ahead of finalising my recommendation. I confirm that I have yet to receive a Drainage response to the additional information that you provided on 21.01.2025, which was sent to the Drainage Engineers on 22.01.2025, (other than an acknowledgement of its receipt on 22.01.2025).

I did request that this matter is given their urgent attention last week.

I am aware that you have agreed Extension of time (EOT) for the Decision Target date to 28.03.2025. Unfortunately I shall have to request a further short EOT to 04.04.2025 to allow for the receipt of the awaited Drainage comments.

I look forward to hearing from you on this matter.

Thank you.

Regards

Anna

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