

Andrew Horrell

From: [REDACTED]
Sent: 10 July 2025 14:51
To: Andrew Horrell
Subject: RE: Formal objection to planning application [DM/24/2288] – The Park Centre, Park Road
Attachments: Park_Centre_Objection_Letter_Updated.docx
Importance: High

Dear Andrew,

I am writing in connection with my formal objection to the Park Centre's current planning application.

Please find attached my additional 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.

I want to explicitly highlight that the "Park Center" has stated in a Facebook post that it will be open 7 days a week, from 08:00 – 22:00 for commercial purposes, this is a breach of local planning policy and clear grounds to reject their planning request.

Additionally, I have added further comment on the flood risk that MSDC Drainage Department, in which the flood risk has been raised and that they object to the application.

Please also consider that *Coventry v Lawrence (2014) UKSC 13* makes clear 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.

Charity Law – Misuse of Charitable Land

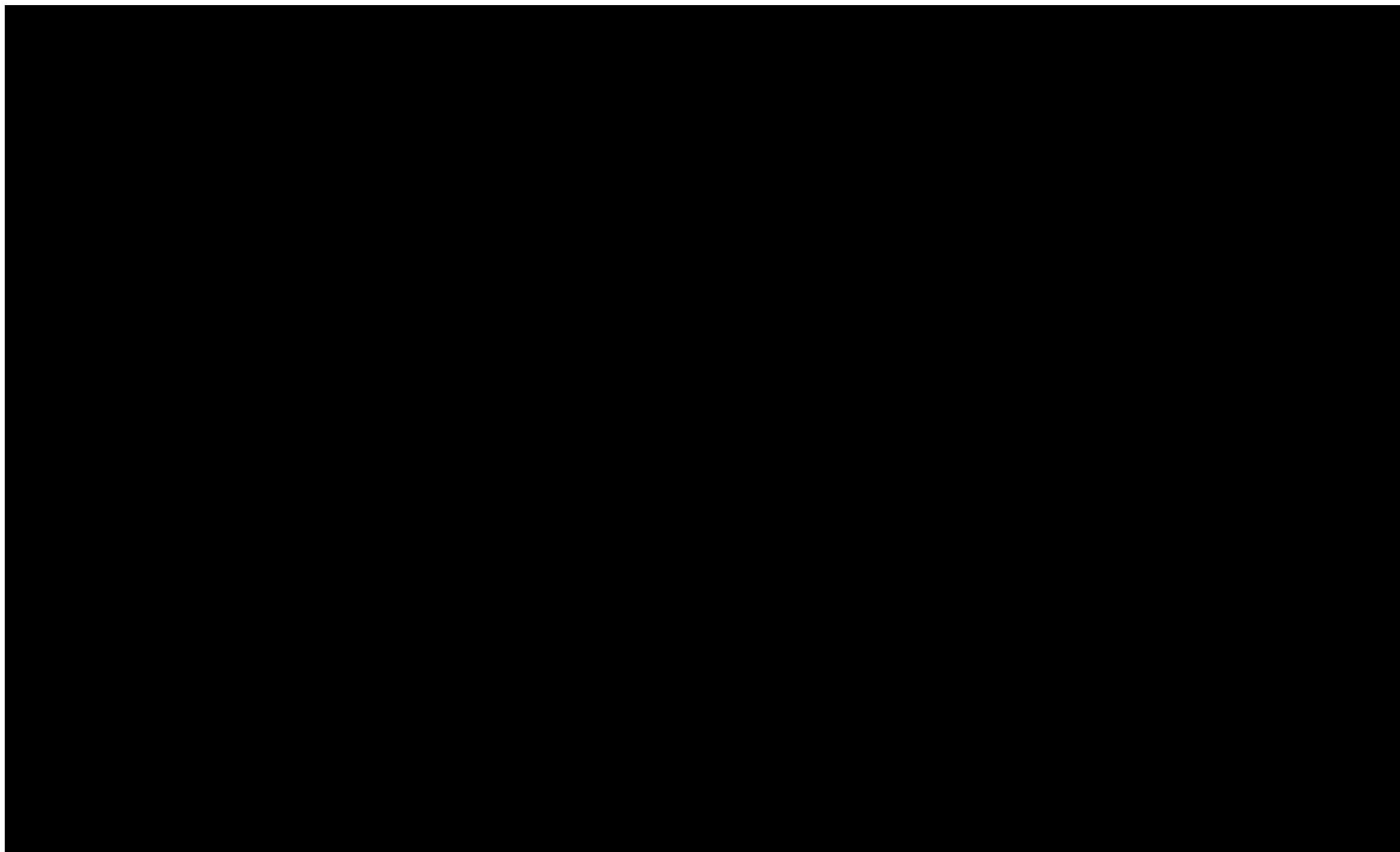
Trustees of a charity must act **within the bounds of the charity's objects**, as confirmed in *Lehtimäki v Cooper* and *Butler-Sloss v Charity Commission*: Use of charity-owned land for **non-charitable, commercial purposes**, absent authorisation, is a breach of trust and could lead to regulatory intervention.

- District Plan Policies DP26 & DP29 – development must **not cause significant harm** and must **minimise noise and light impacts** [Mid Sussex District Council+3padocs.midsussex.gov.uk+3Mid Sussex District Council+3](#)
- *Coventry v Lawrence [2014]* – **planning permission does not override nuisance law** [Russell-Cooke+9UCL+9Local Government Lawyer+9](#)
- *Lehtimäki v Cooper & Lehtimäki* case – charity trustees must **act within charitable objects and fiduciary duties** [Russell-Cooke+1assets.publishing.service.gov.uk+1](#)

- Charity Commission *Oxley Park* case – **unauthorised commercial use of charitable land is breach of trust**

I would finally point out that there has been zero consultation with the immediate neighbours of the Park Center, and that all immediate neighbours are against the application.

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



Classified as Highly Confidential



Sent: 03 June 2025 15:40

To: Andrew Horrell <andrew.horrell@midsussex.gov.uk>

Subject: RE: Formal objection to planning application [DM/24/2288] – The Park Centre, Park Road

Hi Andrew,

11:00 works for me.

Kind regards,

