

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 06 October 2026 09:50:20 UTC+01:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/26/1597

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 06/10/2026 9:50 AM from Clerk on behalf of Parish Consultation.

Application Summary

Reference:	DM/26/1597
Address:	5 William Allen Lane Lindfield Haywards Heath West Sussex RH16 2SA
Proposal:	Retrospective application to raise land levels to create a levelled garden and install patio (updated plans received and description agreed on 11.09.2026)
Case Officer:	Jessica Szollosi

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Comments Details

Comments: Planning Representation -Lindfield Rural Parish Council
RE: Retrospective Planning Application, 5 William Allen Lane, Lindfield DM/26/1597
I attended the site on 28 September following a review of the documentation and reports available on the Mid Sussex District Council planning portal.
During an earlier site visit, undertaken by fencing contractor Benjamin Siggs and planning consultant Debbie Marriage, fence panels between Nos. 5 and 7 William Allen Lane were removed, enabling a clear assessment of the relationship between the two properties and the extent of the land level differences. The resultant views confirmed the linear nature of the ground level build-up across the application site.
The photographs and measurements I recorded correspond closely with those independently obtained by both the fencing contractor and the planning consultant. Consequently, I do not intend to

duplicate the evidence already submitted.

It is evident from the site inspection that the garden level at No. 7 William Allen Lane is approximately 1.1m to 1.2m higher than the neighbouring garden at No. 5 William Allen Lane. Whether this difference arose wholly or partly during the works subject to this retrospective application is not the principal issue. The key consideration is that no separate planning permission appears to have been granted for the raising of land levels to create the current unbalanced relationship between the two sites.

As a consequence of the elevated garden level, the occupants of No. 5 William Allen Lane experience a materially reduced level of privacy compared with that which existed previously.

Impact on Residential Amenity

Policy DP26 of the Mid Sussex District Plan requires that all development is well designed and that it does not cause significant harm to the amenities of neighbouring occupiers, including impacts on privacy.

In my view, the application fails to demonstrate compliance with this requirement.

The elevated garden levels have created an adverse overlooking relationship that significantly affects the privacy and enjoyment of the neighbouring property. The proposal therefore appears contrary to the objectives of Policy DP26 and the principles set out within the Mid Sussex Design Guide Supplementary Planning Document. I also understand that alterations are proposed to the patio area associated with the rear extension. I would respectfully request that the applicant clearly explains the nature of these works, including any proposed changes to finished floor or patio levels. Any increase in the patio elevation should be refused unless it can be demonstrated that there will be no further impact on the privacy and amenity of neighbouring residents, both current and future.

Verification of Ground Levels

Two independent professional advisers, together with my own observations, have reached conclusions regarding ground levels that differ from the measurements submitted by the applicant and subsequently relied upon by the case officer.

Given the importance of this issue to the determination of the application, I respectfully request that a senior planning enforcement officer undertakes a site visit to independently verify the existing levels and measurements. This would assist in ensuring that the application is assessed on the basis of accurate and independently verified evidence.

Conclusion

I do not object to the principle of appropriate and authorised development at No. 7 William Allen Lane. However, the substantial increase in garden levels and the resulting impact on the privacy and amenity of neighbouring occupiers is, in my opinion, unacceptable and remains insufficiently addressed within the application.

For these reasons, I believe the application should be refused unless adequate mitigation can be secured to protect neighbouring residential amenity.

Drainage and Stability Concerns

Separately, I wish to raise concerns regarding the potential consequences of the raised land levels from a drainage, engineering and building standards perspective.

The significant increase in land height and mass adjacent to the boundary with No. 5 William Allen Lane appears to be contributing to drainage issues along the fence line. There is also evidence of ground movement, with sections of land and deposited material appearing to migrate towards the north-east boundary. This movement has resulted in boundary fence posts leaning noticeably towards No. 5 William Allen Lane, creating the potential for encroachment and associated neighbour disputes.

While I do not seek to draw definitive conclusions regarding the cause, these issues may be associated with inadequate structural reinforcement, changes in groundwater conditions, insufficient drainage provision, and/or the operation of irrigation systems close to the boundary.

Given these observations, I would respectfully request that Planning Enforcement conducts a site inspection to assess the stability and structural integrity of the raised land levels, irrespective of the ultimate determination of the planning application.

Kind regards