

2 Lucas Way
Haywards Heath
West Sussex
RH16 1JR

Mr. Stefan Galyas
Mid Sussex District Council
Oaklands, Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

8th October 2025

Re: Planning Application DM/25/1968 at 1 Lucas Way, Haywards Heath, RH16 1JR - Use of a (C3) dwelling as a children's home for a maximum of 3 children with up to three carers, two sleeping overnight working on a rota basis (Additional information received 26.09.2025)

Dear Mr. Galyas,

We write further to your letter dated 30.09.2025 in respect of 1 Lucas Way, following the additional information received 26.09.2025 from the applicant. Thank you for giving local residents the opportunity to respond to this further information.

In summary, we continue to object to this proposal, and refer MSDC to the points made in our prior letter.

We continue to recognise that this is a legal decision where the planning merits of the proposed use cannot be taken into account. Further to our prior letter, we note the following points in this regard:

- The applicant continues to formally apply for a change of use to Class C3(b). On the applicant's own evidence, this is a staffed residence with carers working on a rota. Case law (North Devon DC v First Secretary of State [2003]) is unequivocal that such an arrangement cannot constitute a single household. The application therefore fails at the first legal hurdle: it is not C3(b) and cannot lawfully succeed.
- To avoid the need for a full planning application, the onus is on the applicant to demonstrate, on the balance of probabilities, that any change of use would not constitute "development" under Section 55 of the Town and Country Planning Act 1990 i.e. that the change would not be material. It is our sustained view, in light of the additional information, that the proposed changes are plainly "material". Notably, Lucas Way is a cul-de-sac of only six houses, within a conservation area explicitly characterised by low traffic flow and absence of on-street parking. The overspill parking and intensified comings and goings described in the new documents would directly undermine that character. We wish to highlight the following for MSDC's attention:
 - **Driveway capacity:** The Statement of Purpose sets out that the residence has "*parking at the front for 2/3 cars*", and that "*staffing typically follows a shift pattern of four on and four off*". With three carers on duty at any one time, staff vehicles alone could exceed the 2-3 spaces available. The shift pattern (four-on / four-off rota - which would typically involve two main shift changeovers a day), is likely to create concentrated peaks of vehicle movements as staff arrive and depart [including handover time] with associated parking on the cul-de-sac itself outside the property. Such activity and vehicle movements are wholly different from those of a single household.
 - **Company Car:** "*Thea House will have a company car to transport the children.*" This wording indicates a dedicated "company" vehicle in addition to staff cars, thereby increasing both parking

constraints on a driveway designed only for 2-3 cars in total, as well as an increase in daily vehicle movements.

- **Other traffic generators – Professional Oversight:** In addition to staff and the company car, the Statement of Purpose indicates that the residence will also receive regular visits e.g. :

1. *“The children will also have regular monthly opportunities to discuss with the Regulation 44 visitor”*
2. *“Staff will receive regular visits from the child exploitation team, in-house training for the Philomena protocol, visits by PCSOs and missing from home and care team”*

These are not hypothetical possibilities but are explicitly described as “regular” and “monthly” visits by professionals. Each visit represents an additional vehicle movement that would not ordinarily arise in a single household, and associated constraints on the cul-de-sac and parking.

[Note: Friends / family are also stated as potential visitors – naturally this would occur in a family home in any case, however it should be mentioned that the children are likely to have different friends / family to each other – which would increase the regularity of visits].

The Planning Inspectorate has held in the past that the proposed use including comings and goings of staff and parking can be a material factor [Reference APP/G4240/X/23/3327733]. The Statement of Purpose itself confirms a material change in comings and goings. This includes multiple staff on duty at all times, working on a rota with daily shift changeovers, a dedicated company car in regular use, and regular monthly and ad hoc professional visits (Regulation 44 visitor, safeguarding teams, PCSOs). Individually, each of these factors increases traffic. Taken together, they represent a step-change in intensity of use, wholly different in character from a single dwelling. In a cul-de-sac of only six houses in total, this is a quantifiable difference in the character of the use. In short, in our view, under Section 55 Town & Country Planning Act 1990, the change is material, constitutes development, and legally must be refused.

To close, we thank you again for the opportunity to comment this LDC application, and respectfully request that MSDC reject it.

Yours sincerely,

