

From: [REDACTED]
Sent: 28 August 2025 20:40
To: planninginfo
Cc: Stefan Galyas; [REDACTED]
Subject: DM/25/1968 - Representations

[REDACTED]

DM/25/1968 – 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.

Dear Sirs,

We write to submit our objection to the above planning application for 1 Lucas Way, following receipt of the notification via post on 14th August 2025. We have also submitted these comments via the planning portal.

In accordance with the notification advice regarding the only factors that will be taken into consideration, we limit our observations and basis for objection to the following:

1. Whether the development accords with the criteria set out under the relevant planning legislation
 - a. It is unclear whether the application is for a change of use from Class C3 to C2, as implied by the covering letter, or from Class C3 to C3(b), as implied by the application form. In either case, planning permission is required for a change of use of a building if this would constitute a material change of use, for which the burden of proof rests with the applicant to demonstrate on the balance of probabilities. We submit that the application makes unsubstantiated claims and does not include sufficient detail upon which to discharge the burden of proof, or to allow the Council to make a fully informed finding on the materiality of the proposed change of use.
 - b. The application does not recognise that the proposed location is situated in the Lucastes Conservation Area and does not give detail as to how the proposal would preserve or enhance the character of the area, for which the Council has a duty in law to ensure.
 - c. Related to 1.b., we understand that a Tree Officer from Mid Sussex District Council was required to attend 1 Lucas Way on 28th August 2025 in order to stop works to trees being undertaken without the required permission.
2. Any other evidence to support/refute the claims being made in the application

- a.
- a. The application states (page 2 of 7) “*No changes are proposed to the external appearance of the building or surrounding land*”. This is incompatible with the vehicle parking requirements for “*up to three carers*”, young people of driving age and visitors not limited to “*...daily carers, social workers...and Ofsted inspectors*”, due to the limited driveway space and on-street parking restrictions.
 - b. The proposed location is situated in a Conservation Area in part characterised by “*the absence of on-street parking and a low traffic flow*” (Conservation Areas in Mid Sussex – MSDC, August 2018). Lucas Way is a small, quiet cul-de-sac running off Lucastes Road (also a cul-de-sac) with parking restrictions and no pavements. The cases suggested as precedent (pages 3 and 4 of 7) are not comparable, not least because these are all situated in more densely-populated and/or developed mixed-use areas with significantly higher traffic flow.
 - c. In many of the cases suggested as precedent, significant detail was provided in the planning application including, but not limited to, proposed traffic movements. However, the information provided within this application is extremely sparse. This lack of detail also serves to further limit the factors upon which we are permitted to comment.

Yours sincerely,



3 Lucas Way, Haywards Heath, RH16 1JR