

Talbot Developments (Sussex) Ltd
Boyer Planning
Crowthorne House
Nine Mile Ride
Wokingham
RG40 3GZ

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

REFUSAL

REFERENCE: DM/26/0135

DESCRIPTION: DEMOLITION OF EXISTING BUILDING AND DEVELOPMENT OF 4 DWELLINGS, WITH ASSOCIATED ACCESS AND LANDSCAPING.

LOCATION: FINCHES, 75 FOLDERS LANE, BURGESS HILL, WEST SUSSEX

DECISION DATE: 3 JUL 2026

CASE OFFICER: DEBORAH LYNN - DEBORAH.LYNN@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The proposed development, by reason of its layout, scale and orientation is considered to have a substantial harmful impact upon the spacious and verdant character of Folders Lane which is designated as an Area of Townscape Value, thereby conflicting with policy DP26 of the Mid Sussex District Plan and policy H3 of the Burgess Hill Neighbourhood Plan.
2. The proposed development, by reason of its layout and orientation, is considered to have a detrimental impact upon the long term health of adjoining trees which make a positive contribution to the verdant character of Folders Lane, by placing undue future pressure upon the trees to be pruned. The proposal therefore conflicts with policies DP26 and DP37 of the Mid Sussex District Plan and policy H3 of the Burgess Hill Neighbourhood Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	DA2509-P-01B		18.05.2026
Tree Survey	SJA TPP 25387-041	a	18.05.2026
Drainage Details	13884-1600	P5	18.05.2026
Existing Site Plan	DA2509-P-02		21.01.2026
Existing Floor and Elevations Plan	DA2509-P-03		21.01.2026
Block Plan	DA2509-P-04		21.01.2026
Proposed Site Plan	DA2509-P-05		21.01.2026
Proposed Floor and Elevations Plan	DA2509-P-06		21.01.2026
Proposed Floor and Elevations Plan	DA2509-P-07		21.01.2026



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

REFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*