

From: planninginfo@midsussex.gov.uk
Sent: 18 March 2025 16:26
To: Catherine Cardin
Subject: Mid Sussex DC - Online Register - Comments for Planning Application DM/25/0375

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 18/03/2025 4:25 PM.

Application Summary

Address:	26 Gander Hill Haywards Heath West Sussex RH16 1QX
Proposal:	Erection of a single storey timber yoga studio.
Case Officer:	Catherine Cardin

[Click for further information](#)

Customer Details

Address:	24 Gander Hill Haywards Heath
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Comments Details

Commenter Type:	Neighbour or general public
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	My understanding is that planning permissions and Title Register Restrictive Covenants follow different legal frameworks; I would welcome clarification as to whether this planning permission can indeed override the existing Title Register restrictive covenants (SX11192) for 26 Gander Hill, excerpts of which are shown below: 1. To maintain in good condition at their own expense..... the boundary on the south and south-west sides of the land marked with an internal "T" on the said plan, hedge of good bushy hedging shrub on the said South side within the boundary fence and to maintain the same and the hedges fronting Gander Hill in good bushy condition not less than four feet nor more than six feet in height above the ground. 2. Not to erect any house or building upon the said land or make any alterations to any house or building now or hereafter erected..... Buildings other than a greenhouse shall be of a permanent character constructed with brick walls of a suitable colour and texture and roofed with hand-made sand faced clay roofing tiles also of a suitable colour and texture. 4. Not to carry on upon the said land or any part thereof any trade or business or use any buildings erected thereon for any purpose other than that of a private dwellinghouse and the

outbuildings thereof.

I would welcome the restrictive covenants and the following comments being formally included/considered as part of your planning application review:

a) The boundary hedge to the South west at the rear of the property. for which proprietors are responsible for is circa 20m long. Currently 6 metres are dead/dilapidated providing ineffective boundary and significant alluvial flow/landslide onto the neighbour's adjacent downhill property which has been highly problematic. This was caused by a previous property extension on their plot with no measures taken by the owner to stabilise/replace the boundary affected.

Neighbour has paid for remedy to hold the earth back as far as possible.

There would be concern that a further 6m length of hedge would be killed by erection of the 6m long yoga studio in this orientation as it would stand 3m tall directly in front of the hedge which would die due to lack of light. (as evidenced by the dead boundary hedge beside the previous extension.)

If this happens the boundary would become more than 60% dilapidated/dead and ineffective.

b) A yoga studio with an apex of circa 3m tall would have an impact on right to light over a 6m length into the garden at No: 24 as the sun rises exactly over that direction causing overbearing impact and significant change to current outlook as well as consequent lack of light damage to the party border for which the owner at No 26 is responsible

c) Use of the side access for construction crew and members of the public attending the business would be exactly adjacent to the currently dilapidated/dead hedge which is entirely transparent for some length (but for temporary willow panels erected at neighbours own cost.) With 6 to 8 individuals per session (number of daily sessions not precisely specified) attending the business will cause increased noise and disturbance in the environs with potential invasion of privacy and security risk to the neighbour's property

d) There are Highway safety concerns and issues. These have been already registered over several years by many of the residents of Gander Hill. Extra on street parking requirement to conduct this business will cause additional safety concerns for residents on the same side as this business when trying to turn onto the main road. The parking is already problematic with commuters regularly disregarding the white lines across driveways resulting in residents having to pull entirely across both carriageways to turn onto the busy road, causing additional road traffic accident potential.

Yours sincerely

[Redacted Signature]

Kind regards