

Stefan Galyas

From: planninginfo@midsussex.gov.uk
Sent: 28 August 2025 23:12
To: Stefan Galyas
Subject: Mid Sussex DC - Online Register - Comments for Planning Application DM/25/1968

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 28/08/2025 11:11 PM.

Application Summary

Address:	1 Lucas Way Haywards Heath West Sussex RH16 1JR
Proposal:	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.
Case Officer:	Stefan Galyas

[Click for further information](#)

Customer Details

Address:	21 Lucastes Road 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:	Dear Case Officer, I write as an immediate neighbour of 1 Lucas Way, Haywards Heath, in relation to the above application seeking a Lawful Development Certificate (LDC) for use of the property as a children's home (C3). I object to the application on the following grounds: 1. Failure of Notification: - I was not directly notified of this application despite being a near neighbour who will be materially affected. The consultation list provided with the application shows a selective list of addresses on Lucas Way and Lucastes Road, but it omits my property. This omission undermines the fairness and legality of the consultation process. 2. Use Class Concerns - C3(b) Interpretation: - The proposal describes up to three children and three carers, with two carers present overnight on a rota basis. This is not equivalent to a single household as envisaged by Class C3(b). - C3(b) requires that residents live together as a single household. The proposed arrangement involves multiple carers rotating shifts, which is structurally different from a family or household model. It is better categorised as Use Class C2 (residential institution) rather than C3(b).
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- Relevant case law (such as North Devon DC v First Secretary of State [2003] and similar appeals) has found that frequent staff changes and shift patterns can prevent a use from being considered a single household.
3. Evidence Insufficiency:
- The applicant has not provided sufficient evidence to prove that the intended operation will function within C3(b). In particular, no operational plan, staffing rota, or household structure has been submitted to show how carers and children would live "as a single household".
 - Without such evidence, the LDC cannot be lawfully granted because the burden of proof rests with the applicant.

For these reasons, I respectfully request that the Council refuses the application, as the proposed use does not fall within Use Class C3(b) but more properly constitutes Use Class C2, which would require a full planning application.

Yours faithfully,

[REDACTED]

21 Lucastes Road
Haywards Heath
West Sussex
RH16 1JN

Kind regards