

From: Planning
Sent: 24 April 2026 15:11
To: Sophie.Spencer
Subject: FW: FAO Tamara Dale: DC/26/0207 - The Hyde, Rusper Road, Ifield, RH11 0LN

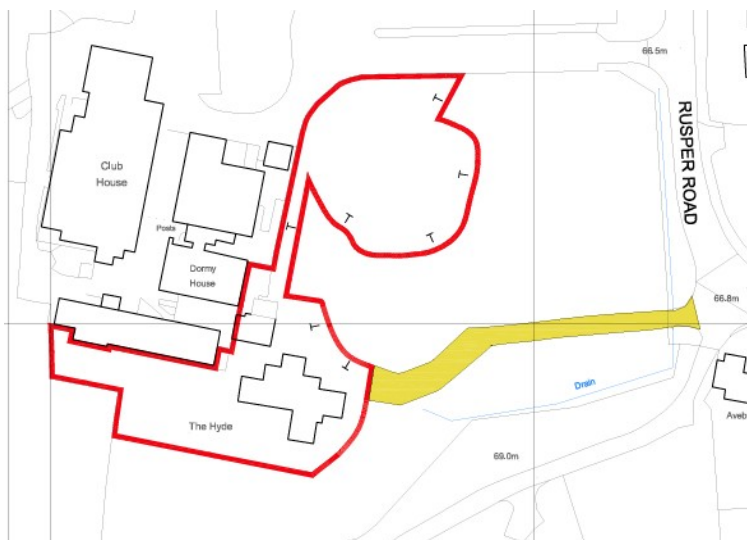
From: Paul PBA [REDACTED]
Sent: 20 April 2026 15:05
To: Planning [REDACTED]
Subject: FAO Tamara Dale: DC/26/0207 - The Hyde, Rusper Road, Ifield, RH11 0LN
Importance: High

Dear Tamara,

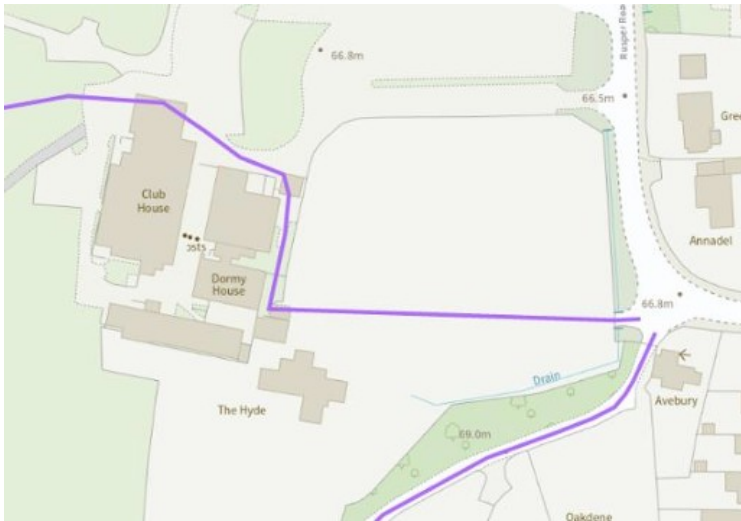
I write in connection with the above application on behalf [REDACTED], who have recently purchased the dwelling known as The Hyde following the subdivision of the original curtilage.

PROW:

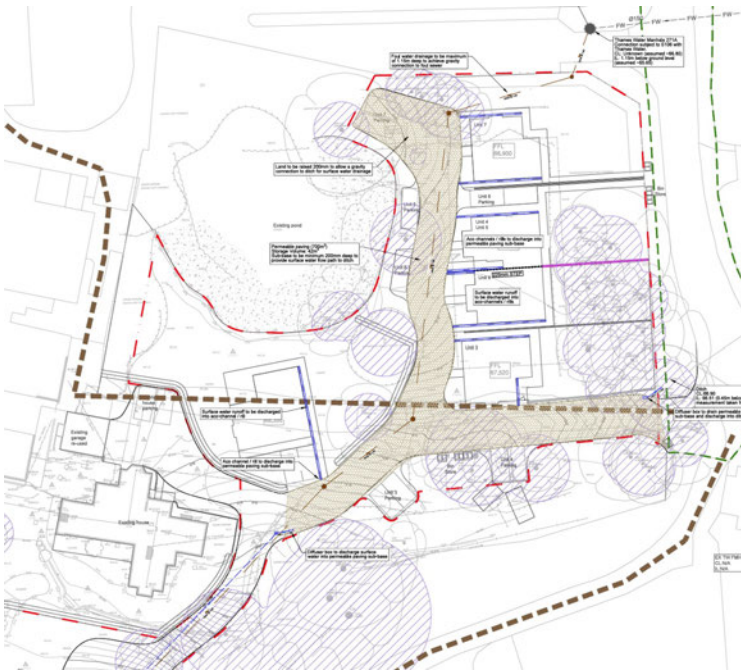
The extent of the reduced residential curtilage includes the pond and the access path leading to it, as shown on the attached extract from my client's registered Title Plan:



At the time of purchase, my clients understanding was the public right of way crossing the land had been stopped up. This belief arose due to the presence of a 1.8-metre-high fence erected between the original dwelling and Plot 2, which gave the clear impression of closure of the PROW. However, my clients have now seen the response provided by the Public Rights of Way Officer, which confirms that the footpath remains recorded on the WSCC Definitive Map and Statement and has not been legally extinguished or diverted:



The applicant’s own drainage plan clearly illustrates that the public footpath currently crosses directly through Plot 2. In this context, the PROW Officer’s suggestion that the route could be diverted “to the west of the pond” is, at best, unclear. It is not readily apparent where such a diversion could be accommodated within land under the applicant’s control:



For the avoidance of doubt, my clients will object strongly to any attempt to divert the PROW south of Plot 2 along the line of their private drive.

Such a diversion would result in unacceptable impacts including:

- Loss of residential privacy.
- Increased security risks.
- Material harm to residential amenity, setting and enjoyment of the property.

These impacts would be particularly acute given the proximity of the route to primary living areas and the character of their dwelling.

The existence of an unresolved PROW running through the middle of Plot 2 prevents the delivery of the scheme as proposed.

In light of this, it is our clear position that planning permission cannot be lawfully granted unless and until the public right of way has been formally stopped up or diverted through the statutory process.

Outlook:

I have also advised my clients of my concern regarding the relationship between The Hyde and Plot 2, which at its closest point appears to be separated by only approximately 10 metres.

Any windows within the side elevation would give rise to direct overlooking resulting in a significant loss of privacy. Conversely, should side windows be omitted, a blank or largely inactive flank elevation would itself be harmful and create an oppressive and dominant built form giving rise to additional harm to outlook over and above the proposed siting of Plot 2 alone.

While the front windows of Plot 2 may narrowly avoid an outright breach of the 45-degree rule, their relationship with The Hyde is uncomfortable and likely to result in further harm to outlook and daylight when assessed cumulatively with the limited separation distance and the proposed building mass.

Plot 2 also obstructs the full and open view across the substantial pond within my clients' residential curtilage that forms an integral part of the setting, character and enjoyment of The Hyde.

The interruption of the line of sight to land to a key feature of The Hyde is a material loss of outlook, rather than the mere loss of a private view across third-party land.

We therefore respectfully request that the Local Planning Authority give due consideration to the impact of Plot 2 on the outlook from The Hyde and refrain from determining the application until the PROW issue has been properly and lawfully resolved.

Best regards

Paul Budgen



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