

**Argent House
7 Silverdale Road
Burgess Hill
RH15 0ED**

FTAO: Mr A. Clarke, Senior Planning Officer
Planning Department
Mid Sussex Council District Council
Oaklands Road,
Haywards Heath
West Sussex RH16 1SS

11th June 2025

Re: Objection to Planning Application DM/25/0289 – 5 Silverdale Road, Burgess Hill

Dear Mr Clarke,

We, the residents of Argent House, Silverdale Road, write to object strongly to the retrospective planning application DM/25/0289 for the oversized garage currently under construction next door to us at 5 Silverdale Road, located within the Silverdale Conservation Area. The proposal represents an over-scaled, visually intrusive structure that materially harms the character of our Conservation Area and our immediate residential amenity, while raising serious concerns regarding drainage, fire safety, structural stability, and potential future use. The application also seeks retrospective approval for works that appear to have been carried out without prior permission — a clear breach of planning control.

Inappropriate Scale and Massing in a Conservation Area

The proposed garage, designed to accommodate six to nine vehicles, is wholly inappropriate in size, scale, and design for its context. Its excessive height (5.69 metres) atop a significantly raised ground level (approximately 1.6 metres above natural grade) contravenes key elements of national and local planning policy:

- **Paragraphs 203–206 of the National Planning Policy Framework (NPPF)** require that development in conservation areas must preserve or enhance their character or appearance. This incongruous towering structure does neither.
- **Policy DP35 (Conservation Areas)** of the Mid Sussex District Plan requires development to respect the character of the area and resists overdevelopment or inappropriate form.
- The Silverdale Road Conservation Area Appraisal (if available, or to be provided on request) should guide development in terms of height, massing, and architectural character. The proposed garage clearly diverges from these principles.

By contrast, existing garages at Nos. 3, 7, 9, and 11 Silverdale Road are modest, single-storey buildings that complement the established pattern of development. The structure at No. 5 introduces a visually dominant and incongruous feature, wholly at odds with the surrounding built form.

The structure is made more extreme by being built on 1.6 metres of artificially raised ground level, effectively turning it into a **towering, three-storey-height warehouse-type building**, far larger than many residential houses and certainly gigantic for a domestic garage.

Furthermore, there are significant concerns regarding structural stability: the raising of the ground level by approximately 1.6 metres on a sloping site demands a professionally engineered retaining wall and certification to ensure safety for neighbouring properties. **No such evidence has been provided**, raising serious risks of soil subsidence or structural damage to adjacent land and buildings.

As required under **Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990**, the Council has a **statutory duty to preserve or enhance the character or appearance of the Conservation Area**. This structure demonstrably fails to do so.

Harm to Residential Amenity

The structure causes significant and demonstrable harm to the amenities of neighbouring properties, particularly Argent House (No. 7):

- **Loss of Light:** The combination of the elevated ground level and excessive height and roof pitch obstructs daylight to our **north-facing garden** — our only source of natural light — particularly affecting winter sun. It also **blocks out sunlight**, the only direct sun for the gardens adjoining, and which our house and next door have enjoyed for over 100 years.
- **Loss of Privacy:** The raised position and massing result in overlooking and overshadowing our garden and all our rear windows, infringing on our privacy, amenity and light.
- **Noise and Disturbance:** A garage accommodating multiple vehicles is fundamentally incompatible with our Conservation Area's quiet residential character. The application includes no noise assessment or mitigation strategy.

These impacts directly contravene:

- **Policy DP26 (Character and Design)**
- **Policy DP29 (Noise, Air and Light Pollution)**

both of which seek to prevent development that causes unacceptable harm to existing residents.

Drainage and Flood Risk

The site's clay subsoil is already prone to water retention. Given this, the lack of drainage proposals for the substantial additional roof run-off and raised ground levels is highly concerning. The increased impermeable surface and roof span will exacerbate saturation and risk surface flooding of our neighbouring gardens and public footpaths.

The absence of a **Sustainable Drainage System (SuDS)** strategy or consultation with the relevant drainage authorities raises questions about compliance with national and local flood prevention policy.

Arboricultural Concerns

Despite the presence of mature trees within and adjacent to the Conservation Area boundary, the applicant has provided **no arboricultural impact assessment**. This raises real concerns regarding damage to protected trees and their root systems, particularly during groundworks and ongoing use of the site.

Misrepresentation and Retrospective Justification

The originally submitted plans appear misleading. The **“North and South Elevation” drawings (ref: 2210283)** understate the extent of the raised land and fail to convey the true scale and visual impact of the development. Only a single elevation was initially submitted — insufficient to assess a building of this excessively large scale.

Moreover, there is no evidence of planning permission for the **raising of land levels**. This constitutes a **material operation under Section 55 of the Town and Country Planning Act 1990**, which materially increases the perceived scale of the building and should itself be subject to planning control.

Fire Safety and Overdevelopment Concerns

The garage is a timber structure intended to house multiple vehicles, including those containing fuel (plus potential fuel storage), and is located abutting our residential boundary fences (which were damaged by the plant vehicles used thus far, including knocking down an attractive ornamental tree). This very close proximity imposes a serious fire risk, yet the application provides **no detail of fire mitigation measures** or confirmation of compliance with **Building Regulations, particularly Part B (Fire Safety)**.

In addition, the applicant’s reference to “domestic storage” raises significant concerns about future conversion to residential accommodation — either under **Class MA permitted development** or via a future application. Such conversions have occurred elsewhere locally, and we urge the Council to impose a **planning condition expressly prohibiting overnight accommodation or residential use of this structure**.

Suspected Business Use and Impact on Conservation Integrity

A structure of this size, housing up to **nine “prestigious” vehicles**, is wholly disproportionate for private domestic use. **We and other neighbours strongly suspect that the garage is being used, or will be used, for car rental or other commercial activity** — which would be wholly inappropriate in a residential Conservation Area. Vehicles regularly appear, disappear, and reappear, consistent with commercial turnover.

There must be a **strict planning condition prohibiting any commercial, hire, or business use** of the vehicles stored in this structure.

If approved, this development would set a **dangerous precedent** for large, intrusive structures within the Conservation Area, eroding the built character over time and **undermining the very purpose of conservation designation**.

Additional Technical Concerns

- **Lack of Heritage Statement or Visual Impact Assessment:** The omission of these standard documents for a development within a Conservation Area is a serious shortcoming.
 - **Local Infrastructure Impact:** The increased built footprint and run-off risk overwhelming local drainage infrastructure.
 - **Traffic and Parking Impact:** A garage of this scale implies increased vehicle movements and could contribute to congestion or safety risks on a narrow residential street, with school children right opposite.
 - **Impact on Wider Heritage Setting:** The visual bulk disrupts not only adjacent properties but also important views across the Conservation Area for us and for our immediate neighbours.
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Planning Balance, Public Interest and Enforcement

The harmful effects on character, amenity, infrastructure, and safety far outweigh any claimed benefit. **Retrospective approval of such a materially harmful, unauthorised development would undermine confidence in the planning system** and encourage non-compliance with due process — contrary to the public interest.

In accordance with both the **Local Planning Authority's Enforcement Policy** and the **NPPF's enforcement guidance**, unauthorised developments that cause harm must be addressed swiftly. **Delay risks making the harm permanent and irreversible**.

Building Regulations Compliance

The proposal appears to fall short of several **Building Regulations** requirements, particularly relating to structural safety and fire prevention. **Coordination with Building Control is necessary** to assess the lawfulness and safety of the structure.

Conclusion

We respectfully request that this planning application be **refused in full** and that the Council initiate **appropriate enforcement action** to require that the garage is **either removed or substantially reduced** in height and massing to reflect the character and scale of other garages in the area.

To be clear, this structure is wholly unacceptable in its current form. It causes demonstrable harm and was erected without proper permissions. Allowing it to remain would set a damaging precedent and **undermine the statutory duty to protect the Conservation Area**.

If, despite these serious objections, the Council is nevertheless minded to grant permission, we strongly urge that the following **strict and enforceable conditions** be imposed — not as endorsement, but as minimum safeguards:

- **A prohibition on overnight accommodation or residential use**, including conversion under permitted development rights.
- **A prohibition on any commercial, rental, or business use** of the garage or vehicles stored within it.
- A requirement for detailed **SuDS-compliant drainage and landscaping plans**, including protection for all nearby trees.
- Confirmation of **fire safety measures** in full compliance with Building Regulations.
- A requirement that **ground levels be reinstated** to their original pre-development height at the site boundaries.

Nonetheless, **refusal and enforcement remain the only just, proportionate, and policy-consistent outcome**.

Yours faithfully,

The professional residents jointly at
Argent House
7 Silverdale Road
Burgess Hill
RH15 0ED