

Stefan Galyas

By Email: stefan.galyas@midsussex.gov.uk

Re: Application No: DM/24/2959

Proposal dated 13th December 2024 Two storey rear extension and proposed Gym use on ground and first floor (the “Proposal”)

Location: Mabels Emporium, 10 Victoria Way, Burgess Hill, West Sussex (the “Property”)

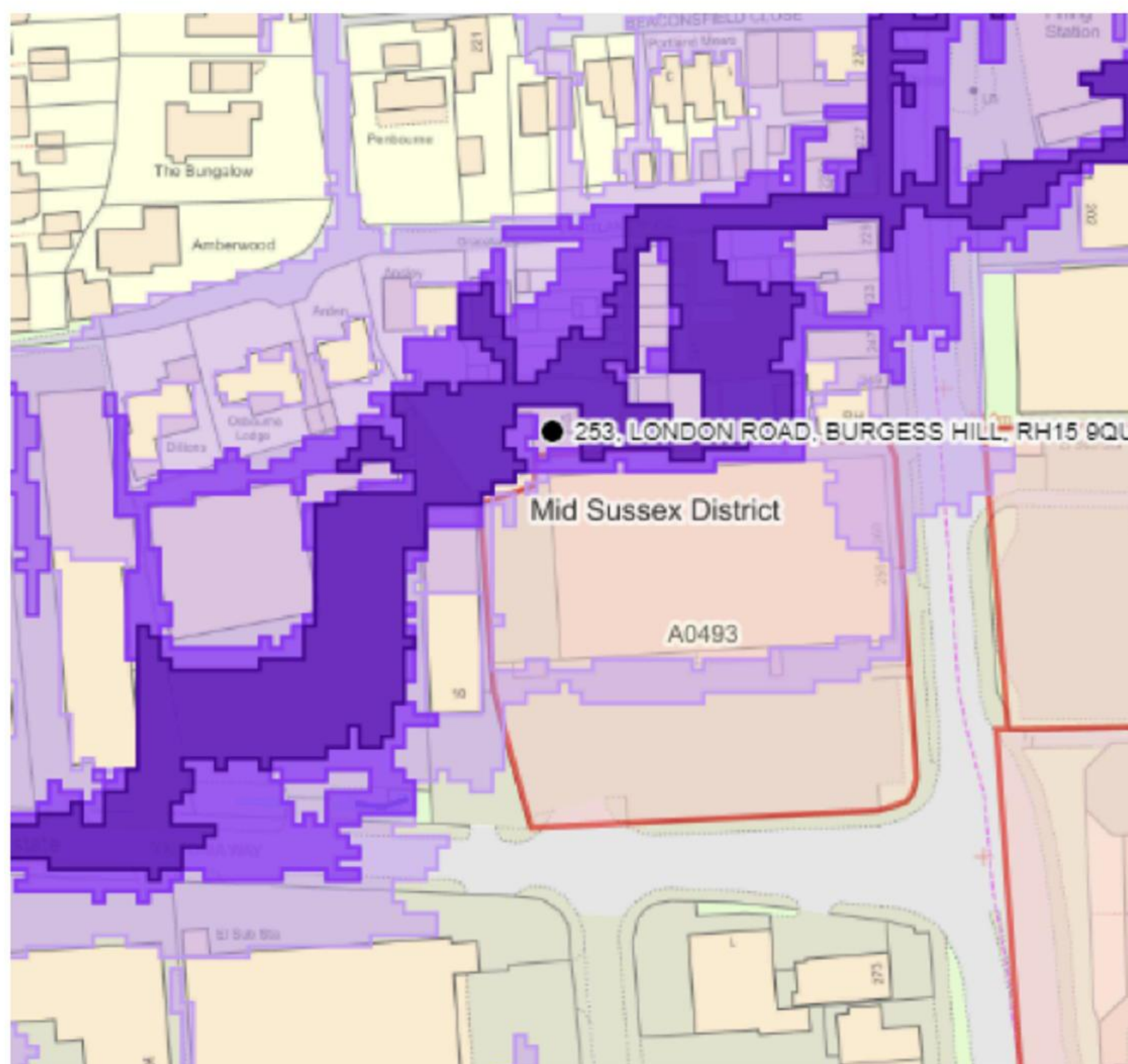
Dear Mr Galyas

We are the owners of 253 London Road, neighboring the Property.

We object to the Proposal on the below grounds. I would be grateful if you could consider our objections and confirm receipt.

1. Flood Risk and Drainage

The Property is in a very high risk surface water flow route. See below map:



The proposed extension is located in the 1:30 surface water flood extent which is considered the equivalent of flood zone 3b. The Environment Agency's standing advice is that any development, including minor extensions should not be permitted in areas of flood zone 3b (1:30).

Table 2 paragraph 79 of the Planning Practice Guidance also states that in an area of either highly vulnerable flood risk or within Flood Zone 3b development should not be permitted.

Building over permeable land in a high risk surface water flow route is contrary to Mid Sussex's planning policies. It will have a significant harmful impact on the surrounding land, which includes a mixture of residential dwellings and commercial properties, by increasing the flood risk and reducing the existing drainage in a high risk area. As explained below, there are no sustainability benefits that could be considered to outweigh the flood risk to and from the Proposal.

As the proposed development will extend a property classified as 'more vulnerable', in line with the Environment Agency standing advice for minor extensions and Mid Sussex's planning guidance, we would object to the Proposal on flood risk and drainage grounds.

The Flood Risk and Drainage issues are so fundamental to the Proposal that it is impossible to negotiate a satisfactory way forward. However, we also object to the Proposal for the following reasons:

2. Neighbouring Amenities

Policy DP26 seeks to ensure that development: "*does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*" A similar ethos is contained within the Mid Sussex Design Guide SPD.

We would object to the Proposal on the basis that the extension would cause significant harm to the amenities of existing nearby residents, including but not limited to:

- a. Impact on privacy: the plans show a two story extension running to the edges of the Property's boundary, resulting in a significant loss of privacy for neighbouring residential gardens. As the proposed use is for a 24 hour gym, the harm is compounded as strangers will be able to see into local properties at all hours, which are occupied by children and other vulnerable residents.
- b. Loss of sunlight: the current plans will block sunlight into the neighbouring property at 253 London Road. The height of the extension and its proximity to the boundary means it will overshadow the neighbouring property. The garden at 253 London Road is south west facing, meaning the loss of sunlight will be significant.
- c. Outlook: The design is not sympathetic to the buildings in the current area. The Proposal fails to consider that the Property is located in an area of mixed use, with historic residential properties located on its boundary. The scale of the extension and the proposed materials would not be in keeping with the local buildings, which are brick.

Although the materials match the existing property, they are not of a high quality design. The Property is outdated and would be unsuitable for any new development. There is no evidence in the Proposal that the extension is in keeping with other development in the area.

- d. Noise and light pollution: the Proposal indicates that the gym will be open 24 hours and unstaffed. This will result in significant noise and light pollution from members throughout the night. The surrounding businesses operate within normal opening hours, in keeping with the area being a mix of commercial and residential properties. We object to a 24 hour licence to operate the gym.

3. Other concerns

We ask that the planning team consider the following:

- a. Environmental factors:

- i. The Property has been used for commercial use for its entire history. It is likely that the site is contaminated by harmful materials, including asbestos used in the construction of the existing Property. Development on the site may be hazardous and pose a threat to nearby residents and pollute neighbouring land. The Proposal does not positively address sustainability considerations in the layout and the building design.
 - ii. The development would not protect several large, established trees in close proximity to the Property. These are likely to have large, established roots which will be harmed by development and which could lead to the loss of these trees. These trees are important for the biodiversity of the surrounding area, the local landscape character and amenity of the surrounding residents. 253 London Road has also planted five young trees on the boundary, to boost the habitat available for wildlife and improve the outlook for local residents. These trees will be overshadowed by the development, which would prevent them becoming established.
- b. Fire safety: The Proposal does not provide any evidence that the development would be safe for gym users in the event of fire. The Property is located on a narrow site and the existing building abuts the east and west boundaries, leaving no room for escape in the event of fire. Any development to the rear of the Property would only increase the risk that gym users would not be able to escape the building in the event of fire. As the gym proposes to be unstaffed, these risks are increased.
- c. Parking: The Proposal does not detail any provision for parking. This will have an impact on neighbouring properties, which require access for LGVs.

4. The economic benefits of the Proposal

The Proposal does not provide any evidence to support the need for expansion of the Property. The Proposal does not provide any benefit that would offset the increased flooding risk, loss of neighbourhood amenity or other concerns raised above.

The Proposal provides no evidence to support that the development “*would enable the property to provide better space for the Gym Use.*” A gym can adapt to the existing square footage of the Property and the business would be able to operate without an extension at the rear.

The local community is served by four gyms within the immediate vicinity of the Property: PureGym (0.2 miles), Phx Gym (0.2 miles), Ultimate Training (0.3 miles) and BYS Fitness (0.5 miles). A rear extension would provide negligible benefit to the community, by providing a slightly larger gym. The Proposal states that the new use would not provide any new employment for the local community.

Conclusion

In conclusion, the site is located within an area classified as "more vulnerable" for surface water flooding and the proposed works would consist of a minor extension. As such in line with Natural England standing advice and paragraph 79 of the Planning Practice Guidance development should not be permitted. The proposed development is contrary to policy DP41 of the Mid Sussex District Plan, the Environment Agency standing advice in respect of minor extensions, paragraph 79 of the Planning Practice Guidance and the relevant provisions of the NPPF.

Notwithstanding that development is not permitted by the relevant planning guidance, the Proposal provides no benefit that would outweigh the significant flooding risks and other harm caused by the rear extension.

If the Proposal is decided by committee we would like to speak against the application and be notified of the meeting.

Yours faithfully

