

**Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS**

5th August 2026

For the Attention of Ms Liz Everest

REFERENCE: DM/26/1805

LOCATION: 5 CLAYTON PARK, HASSOCKS, WEST SUSSEX, BN6 8JQ

Description of application:

Retrospective application for a pergola with openable louvred panels. Fabric blinds to the north and east side and glass sliding panels facing the garden on the east side of the pergola and a bespoke wooden shed with door opening into the garden. All in a sunken garden; lower than main back garden.

Thank you for your letter dated 23rd July 2026 addressed to Mr and Mrs Binks of the above address. I have been instructed by them to supply you with the information to validate the above reference application. This letter is sent with the following drawings in PDF form:

Drawing: 529/01	Location plan (pre-development), Location plan (as built) scale, 1:1250
Drawing: 529/02	Block plan (pre-development), Block Plan (as built) scale, 1:500, As built rear garden plan scale 1:100.
Drawing: 529/03	As built plans and elevations of the pergola and wooden shed, scale 1:50

In response to the points you have raised in your letter, we would like to respond in the same order:

1. The correct boundary is shown on the location plans and block plan on the above drawings.
2. A floor layout at a scale of 1:50 is shown on drawing 529/03.
3. Elevations of all sides of the development are shown on drawing 529/03.
4. Openable louvred panels and fabric panels of the pergola are shown on drawing 529/03.
5. Please see the amended description of the application which we hope the Local Authority will agree with.

In addition to the validation information, we would like to explain why this application is submitted retrospectively and not prior to the pergola having been erected.

Permitted Development:

The height of the pergola is marginally higher than what would be acceptable under permitted development. The acceptable height being 2.5m. The pergola as built is therefore 50mm higher. The wooden shed on its own would comply within the parameters of PD with a height of 2.46m but, as it is attached to the pergola, the building form reads as one structure.

The barbeque is freestanding and is stood on a raised concrete worktop. Permitted Development rights do not specifically mention barbeques. We understand that it is a normal and acceptable piece of garden equipment. It is similar, for example, to a lawn mower or hedge trimmer. It is used infrequently and when in use, it is a normal and expected neighbourly use of a garden space.

The pergola is therefore not within the limitation of permitted development rights when the rights are applied strictly.

Material Considerations:

1. A 50mm increase over the permissible height of 2.5m is perhaps not a reason for the LPA to raise concern over the pergola's height.
2. The level of the garden has been plateaued so that it is level. The position where the pergola is located is at the lower level. The garden has been lowered by 150mm (2 brick courses) at the highest point which is next to the conservatory and at the north end of the garden, the garden has not been lowered at all. Thus, the mean level of the garden (in the middle of the pergola) was 75mm higher (half of 150mm) prior to being sunken.



3 steps have been introduced to reduce from deck level to sunken garden level



Note how the DPC on the conservatory is 4 brick courses higher than the garden
i.e. 2 brick courses higher than the original garden level.

If the garden had not been plateaued at the sunken level, a pergola of the same size and compliant with PD in its height, would be comparatively 2575mm high (2.5m PD height + 75mm). This is important when considering the visual impact of the pergola. i.e. As built, the pergola is 25mm lower than a pergola of 2.5m high, had the garden not been sunken. This is a material consideration for the LPA in the determination of this application.

We trust the Local Authority now have sufficient information to register the application. Please also change the 'agent' for the application to myself. All future correspondence, emails, letter etc can be addressed to me. If you would like to go through any of the above and the application drawings, please contact me.

Yours sincerely,

James Breckell

James Breckell BA (hons) Dip. Arch. ARB, RIBA.

Winner of the Shoreham Society Award for Architecture 2015

Distinction in Design Award (Adur District Council) 2016

Sussex Heritage Award for Housing

LABC Award for Housing

Shortlisted for LABC Award 2016

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