

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2288	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Refurbishment and upgrade of the existing buildings including window replacement, new roof insulation, structural alterations. New extension on both sides of the existing main building. New Bin at front, new bike storage at the side with landscaping at the rear with a new storage shed.		
Site:	Park Centre, 60 Park Road, Burgess Hill, West Sussex, RH15 8ET, , ,		
Validation Date	28 Nov 2024	Overall Expiry Date:	8 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Dec 2025
Target Date:	23 Jan 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	93
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Signed and Agreed By:	Stephen Ashdown	Date:	4 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2288

**Park Centre, 60 Park Road, Burgess Hill, West Sussex, RH15 8ET, ,
Refurbishment and upgrade of the existing buildings including window replacement, new roof insulation, structural alterations. New extension on both sides of the existing main building. New Bin at front, new bike storage at the side with landscaping at the rear with a new storage shed.
Park Centre Burgess Hill CIO**

SUMMARY OF REPRESENTATIONS

86 Letters of support on the following grounds:

- Reopens building in decay closed since 2021
- Modernises building and makes more energy efficient
- Benefits community
- Makes building more accessible
- Good commercial opportunity for local businesses

16 Letters of objection on the following grounds:

- Parking
- Noise
- Privacy
- Overbearing
- Overdevelopment
- Light
- Security risks
- Unable to maintain boundary fencing
- Hours of use
- Flooding
- Legal concerns over misuse of charitable land, nuisance and breach of trust.

SUMMARY OF CONSULTEES

WSCC Highways:

Comments on original plans:

This application seeks the refurbishment and upgrade of existing buildings, including new extensions and new bin/bike storage to front, with associated works. The site is located on Park Road, an unclassified road subject to a speed restriction of 30 mph.

No alterations are proposed to the existing vehicular access arrangement. The LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site, when compared with what the site could currently generate as existing.

The existing off-street car parking area fronting the site will incorporate a new waste and bike store, as well as eight new Sheffield bicycle stands. This will result in the loss of one existing car parking space, but will provide new opportunities for visitors or staff to travel to the site via sustainable means.

I do note written representations referring to the potential for overspill parking to occur on-street. If overspill parking were to occur on-street, there are comprehensive parking restrictions in place that prohibit vehicles from parking in places that would be detrimental to highway safety. There is no evidence currently to suggest the current arrangement has been operating unsafely, or that the

proposals would exacerbate an existing safety concern. Weight is given to the fact the site is situated in a sustainable location that is well accessible on foot, by cycle, or by public transport.

In terms of amended plans, the proposed amendments appear minor and would not warrant further comment from a highway safety point of view. Comments provided previously can still be applied to the current set of plans.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

MSDC Conservation Officer:

The application site, 60 Park Road, is a mid-late 19th century building located in a prominent position within the St John's Conservation Area of Burgess Hill. Historical map regression suggests that the building started life as St John's Reading Room and is one of the earliest buildings in the area, which is named for the church of St John the Evangelist (II* listed), which was consecrated in 1863 and is located a short distance to the south. This area of Burgess Hill was developed rapidly following the opening of the Burgess Hill Railway Station in 1841. The former reading room has a symmetrical classically composed façade, which is brick built but has been painted. This façade is a feature in views from the open space of St John's Park, which is just to the south west. The rear of the building, which has been much altered, is also fairly prominent in views from Marle Place Park which is directly adjacent to the north. The building appears to have gone through a variety of community uses, from a reading room, to an institute, and is now known as the Park Centre.

The building is a prominent and quite attractive feature of the Conservation Area, and also a historical focus of community activity within Burgess Hill. It contributes positively to the character and appearance of the Area, and is also likely to be regarded as an NDHA on the basis of its period architecture, age (relative to the majority of development in the locality), historical interest, and communal value.

In principle, the restoration of the building in conjunction with the establishment of an ongoing use for it is welcomed. As above, the building would be regarded as an NDHA making a positive contribution to the character and appearance of the Conservation Area, and therefore its repair, alongside the reinstatement of features to the façade which have been previously lost is particularly welcomed. More detail will be required of the works to the façade, including the proposed replacement porch, reinstatement of the arched window at the centre of the first floor, and reinstatement of timber sash windows to currently boarded up openings.

In summary, although the principle of the restoration and re-use of the building is considered welcome, aspects of the current proposal require further consideration and/or amendment, in order to ensure that the proposal preserves the significance of the NDHA and the character and appearance of the Conservation Area, and meets the requirements of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.

Following revised plans:

Revised drawings have been received with respect to the above planning application showing some planters introduced to the front parking area. Whilst this is not an ideal solution, it does provide an opportunity for some softening planting to the front of the site. On balance, the proposal is now considered to preserve the character and appearance of the Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF. I would recommend the following conditions:

- Details of roofing and facing materials
- Detailed drawings, at an appropriate large scale, including sections, and annotated to show materials and finishes, of the following:
 - typical examples of new windows and external doors
 - typical eaves details to the extensions to the building

- solar PV panels to the main roof including sections to illustrate relationship with surrounding roof covering. A manufacturer's spec of the panels should also be provided.
- New rainwater goods and other external pipework to be of painted metal
- Detailed hard and soft landscaping scheme, including materials, and including elevations for new built structures such as fences, walls and bin enclosures

MSDC Drainage:

The applicant has demonstrated that the proposed development will not increase flood risk on site or elsewhere and it will be safe for the lifetime of the development.

We have no objection on flood risk and drainage grounds. This is subject to the works being carried out in accordance with the listed approved details below.

MSDC Environmental Protection:

Based on the details provided, including that the proposal involves refurbishment and extensions to increase capacity but no change to the type, timing, or nature of activities, it is unlikely that the development would result in a significant change in noise impact.

While it's true that an increase in capacity could lead to more people using the facility, and therefore some increase in noise, this would be expected to be modest. For context, even a doubling of the number of users typically results in only a 3 dB increase in noise levels, which is just at the threshold of perceptibility and not generally considered significant in environmental noise terms.

Since the main source of noise will continue to be the existing activities, and these are not changing, we would not consider a noise assessment necessary in this case. On that basis, we would have no objection and no further comment to make regarding noise.

TOWN COUNCIL OBSERVATIONS

The Committee of 4th August supported the Park Centre in their aspiration but noted that the comments of 24th June remained unsatisfied. The policies referred to are from the Mid Sussex District Plan.

The committee were concerned as to the 7am - 11pm opening hours with regards DP29 - Noise, Air and Light Pollution.

The Flood Risk zone 3B covers part of the plan and needs considering under DP41 - Flood Risk and Drainage.

The Bin store at the front may contravene DP26 - Character and Design.

DP21 - Transport, is still not satisfied as no travel plan nor policy regarding parking has been provided.

The Committee strongly request that the concerns are addressed to allow support for this application to follow, at this time the Committee were unable to make a recommendation.

INTRODUCTION

The application seeks planning permission for the refurbishment and upgrade of the existing buildings including window replacement, new roof insulation, structural alterations. New extension on both sides of the existing main building. New Bin at front, new bike storage at the side with landscaping at the rear with a new storage shed.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

Park Centre, 60 Park Road is a two storey large pitched roofed community building with flat roofed enlargements. The building is characterised by timber doors and windows with the walls being a mix of painted brickwork, face brickwork and hanging tiles (to rear).

To the north of the site hedging and woodland to Marle Place Recreation Ground beyond, to the south of the site is the car park with highway beyond, to the east of the site is close boarded fencing and hedging to adjacent No.58 Park Road and to the West is close boarded fencing and hedging to set forward No.62 Park Road and neighbours in Upper Johns Road.

The site is set within the Burgess Hill built up area boundary and the Fairfield Conservation Area.

APPLICATION DETAILS

Refurbishment and upgrade of the existing buildings including window replacement, new roof insulation, structural alterations.

Extensions are proposed on both sides of the existing main building, the part single storey and part two storey extension to the east side approximately measures 17.5m in depth, 4m in width with the ground floor element have an approximate flat roofed height of 4.1m and the two storey extension having an approximately flat roofed height of 7.2m. This will serve the red room, stairs, lift and an accessible WC.

The first-floor flat roofed extension above walkway to the western side measures 6.087m in depth, 3.485m in width with an approximate height of 7m. This will serve a WC and storage.

A new porch entrance with a new door and arched brick lintel.

New Bin storage at front, new bike storage at the side with landscaping at the rear with a new sloped roofed storage shed with measures 4.59m in depth, 3.1m in width with a lowest height of 2.3m and at the greatest height 2.5m.

External alterations include the parapet, roof and fascia raised by 0.15m for roof insulation with the fascia to be painted white timber, the existing Crittall windows replaced by heritage profile aluminium windows, new ground floor full height side door and full height glazed panels, down lights lighting the Park Centre logo, front windows to the ground and first floors installed, ramp to front door and side entrances,

Internal alterations include the creation of new unisex WCs, a changing places room on the ground floor and new accessible WC on the first floor.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the Burgess Hill Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP21: Transport
DP25: Community Facilities and Local Services
DP26: Character and Design
DP29: Noise, Air and Light Pollution
DP35: Conservation Areas
DP39: Sustainable Design and Construction
DP41: Flood Risk and Drainage

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies.

Neighbourhood Plan

Burgess Hill Neighbourhood Plan (Made January 2016)

Relevant Policies:

Policy S3 - Protect and Enhance Existing Community Facilities
Policy H1 - Protecting and Enhancing Heritage Assets and Conservation Areas

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS4 - Flood Risk and Drainage
DPN6 - Pollution
DPN7 - Noise Impacts
DPB1 - Character and Design
DPB3 - Conservation Areas
DPI6 - Community and Cultural Facilities and Local Services

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states '*In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area*'.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration.

Paragraphs 2, 8, 11, 39, 48, 85, 131, 135, 139 and 207-215 are deemed most relevant.

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Principle
- Impact on Character and Design
- Impact on Conservation Area
- Impact on Neighbouring Amenities
- Sustainability
- Drainage
- Transport
- Pollution
- Other Matters
- Biodiversity Net Gain

Community Facilities

DP25 of the Mid Sussex District Plan is deemed relevant to community facilities. It states:

' The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- o that the use is no longer viable; or*
- o that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or*
- o that a replacement facility will be provided in the locality.*

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council'.

The use of the building is for one-to-one sessions, meetings, support services, and low-capacity activities such as counselling or advice provision etc in the small rooms.

Mid-sized halls appropriate for small groups, well-being sessions, community meetings, toddler activities, youth activities, fundraising events and informal support groups.

The large hall with stage, adaptable for a range of leisure activities, sports and fitness sessions, performing art community programmes, community fundraising events, and other structured group activities.

The principle of modernising community building is therefore considered acceptable, therefore, the improvement of the site complies with DP25 of the Mid Sussex District Plan.

Impact upon Conservation Area

The application site is within the Fairfield Conservation Area. Under Section 72 of the Listed Building and Conservation Area Act 1990 the Local Planning Authority is under duty to:

'...with respect to any buildings or other land in a conservation area....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

This legislative requirement is reflected in Mid Sussex District Plan policy DP35 and Burgess Hill Neighbourhood Plan policy H1.

Policy DP35 of the Mid Sussex District Plan states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- *New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- *Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- *Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- *Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- *Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- *New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.*

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area'.

Policy H1 of the Burgess Hill Neighbourhood Plan states:

'Proposals within the Burgess Hill Conservation Areas will be required to preserve and enhance their special character or appearance'.

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Section 16 (Paragraphs 202- 221) of the NPPF relates to the conserving of the historic environment.

Paragraphs 207-215 are most relevant of the NPPF states:

Paragraphs 207, 212 - 215 of the NPPF are most relevant and state:

'207. In determining planning applications, local planning authorities should take account of:

- o the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- o the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- o the desirability of new development making a positive contribution to local character and distinctiveness.*

212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;*
- c) and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The Conservation Officer feels that the proposal is considered to preserve the character and appearance of the Conservation Area, meeting the requirements of District Plan Policy DP35 and the relevant paragraphs of the NPPF subject to conditions.

The case officer has no reason to disagree with the conservation officer.

Therefore, the proposal is considered to preserve the character and appearance of the Conservation Area and therefore complies with DP35 of the Mid Sussex District Plan, H1 of the Burgess Hill Neighbourhood Plan and the relevant paragraphs of the NPPF.

Design and Character

DP26 of the District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*

- 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'

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach.'

DG50 of the Mid Sussex Design relates to front and side extensions and states that:

' Side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.

Side extensions

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view'.

The proposed side extensions are of a similar design and use visually similar materials to the existing building. They are subservient to the existing building and set back from the principal elevation. The proposed replacement windows are to match the existing windows.

The alterations to the front of the building as deemed in character with the existing building.

The proposed rear shed, bin store and bike stands are not deemed out of character with the area. Whilst the proposed bin store is to be sited to the front of the building, as to the side boundary it will be viewed in the context of the wider building.

Therefore, the proposals are considered in character and of a suitable design in terms of the existing building and the wider streetscene. Therefore, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan, the relevant principles of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Impact on neighbouring amenities

In terms of impact upon neighbouring amenities Policy DP26 in part 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);'

In terms of impact on privacy in relation to the neighbour in Park Road (No.58) affected by the eastern side extension, the part single storey and part two storey side extension to the Park Centre, the new side facing windows are to be frosted glass and therefore significant harm in terms of overlooking is not considered to be caused.

On terms of privacy to the neighbours in Upper St Johns Road, no window outlooks are proposed to the rear elevation and the only new window proposed on the western side elevation is to serve a WC and is to be frosted glass and therefore significant harm in terms of overlooking is not considered to be caused.

In terms of overbearing, there is an existing close relationship between the Park Centre and the nearest properties in Upper St Johns Road (Nos. 2-8).

It should be noted that these affected residential properties have been erected in the last 20 years under references (05/01484/FUL approved under appeal references AP/06/0007 and AP/06/0008 and 11/00284/OUT) and properties 4-8 are on land which was previously the garden of the Park Centre. It was noted within the appeal decision to allow the flats at 2 Upper St Johns Road that the Park Centre dominates the site and this section of Upper St Johns Road.

It is therefore felt that given the fairly modest nature of the western side extension and its location in comparison to the properties 4-8 Upper St Johns Road, it is no more overbearing than the existing relationship in which has an existing two storey flat roofed side extension hard up to the mutual boundary serving a plant room and storage on the ground floor and WCs on the first floor.

The impact on No.2 Upper St Johns Road will be more significant in terms of overbearing impact, but as noted above given the existing overbearing impact of the existing building and given the reduced size of the proposed western side extension from the original plans, it is not considered significantly overbearing in relation to the existing impact.

In terms of overdevelopment, whilst the proposal is a fair enlargement, notably to the eastern side elevation, there is still significant space to the rear, front and western side meaning that the proposal is not considered an overdevelopment of the side.

In terms of light, at No.58 Park Road as the Park Centre is to be north-west of the property, sunlight is not considered significantly harmed. In terms of daylight, the only side facing windows on the ground floor serves the hallway, there are first floors side facing windows which will be affected but given this, the impact on daylight from the proposal on the first-floor windows are not deemed significantly harmful.

In terms of Nos 4-8 Upper St Johns Road, the building with a flat roofed extension close to the mutual boundary is to the south-east and therefore already significant harms the light and the proposed side extension is behind the existing two storey side extension and therefore the level of impact is not considered significant.

In terms of the flats in No.2 Upper St Johns Road, the proposed side extension is to the north-east of the affected rear windows and therefore sunlight is not considered to be affected. In terms of daylight, the existing building impacts on the natural light already, whilst a degree of impact will be caused from the proposed side extension, the level of harm is not considered significantly more harmful than the existing.

Policy DP29 states, in part;

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*

- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures:*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- *an assessment of the impact of noise generated by a proposed development; or*

- *an assessment of the effect of noise by an existing noise source upon a proposed development;*

Light pollution:

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;'*

Paragraph 187(e) of the NPPF states that new development must prevent unacceptable risks or adverse impacts and affects from unacceptable levels of noise pollution.

Furthermore, paragraph 198 (a) of the NPPF states that the planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and in doing so should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The hours of use have been outlined with the intention maximum hours of use from 7am to 11pm. It noted that the site is within the built-up area of Burgess Hill and a community centre of this nature would be expected to potentially have long hours of usage. Therefore, there will likely be an increase in noise with the increased capacity. However our environmental health state that whilst the increase in capacity may lead to increased use of the facility, the level of harm is not considered significant in noise pollution terms.

Therefore, in terms of neighbouring amenities the proposal is considered to comply with policies DP26 and DP29 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Sustainability

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- *Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation,*
- *Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible,*
- *Use renewable sources of energy,*
- *Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation,*
- *Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment,*
- *Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

The application is accompanied by a Sustainability Statement which notes that a number of different measures will be taken to improve the developments overall sustainability. These include:

- All glazing will be double-glazed, and existing roof insulation and coverings will be upgraded.
- In-line solar panels are planned for installation on the existing pitched roof
- Use of SuDs
- Use of green roofs on extensions
- Water saving dual flush toilets
- LED lighting

These measures will be conditioned accordingly.

The proposal is therefore deemed to comply with policy DP39 of the Mid Sussex District Plan.

Highways

DP21 of the Mid Sussex District Plan states *decisions on development proposals will take account of whether:*

- o The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- o Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- o The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- o The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- o The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o The scheme protects the safety of road users and pedestrians.*

WSCC Highways within their comments set out above outlines that they do not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site, when compared with what the site could currently generate as existing.

Coupled with this, there is no evidence currently to suggest that the proposals would exacerbate an existing safety concern. Weight is given to the fact the site is situated in a sustainable location that is well accessible on foot, by cycle, or by public transport.

The Local Highways Authority do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

The officer has no reason to disagree and therefore the proposal is considered acceptable on transport grounds.

Flood Risk and Drainage

Policy DP41 seeks to ensure that development is satisfactorily drained and does not cause a risk of flooding off site.

The site is in flood zone 1 and is at low fluvial flood risk (risk of flooding from Main Rivers). The site especially where the Red room is to be located is shown to be at within an area of high surface water flood risk (comparable to flood zone 3).

The following measures have been outlined to reduce the risk of surface water flooding:

- Raise the floor of the red room extension to create a floor void of at least 300mm from above the existing ground level to the underside of the new suspended floor.
- Allowing the modular ramp to be floodable
- Have a minimum of 1m opening onto the void in every 5m length of wall on all sides.

The Council's Drainage Engineer has reviewed the scheme and considered it acceptable from a flood risk and drainage perspective.

The Planning Officer has no reason to disagree with the comments of the Drainage Engineer and therefore the proposal is considered to comply with policy DP41 of the District Plan in respect of flood risk and drainage.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is comprised of development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

Other Matters

The neighbour at No.58 has outlined legal issues which relate to the charitable use of the land. This is not a planning issue and therefore is not deemed relevant to the planning decision.

The impact and ability to maintain the mutual boundary fencing with the neighbours at Upper St Johns Road is a private issue and not a planning matter.

Whilst the increased use of the building may lead to the potential for increased security risk to neighbouring properties, this is a societal rather than planning matter.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF.

It is considered that the proposal is necessary to provide an improved facility for the town and therefore this is a significant benefit which accords with policy DP25 of the District Plan. It is of an appropriate design and scale and preserves the character of the conservation area. There are no highway safety concerns from the Highways Authority or flooding concerns from drainage. Sustainability matters can be handled by condition. Impact on neighbouring amenities are to be mitigated by the use of suitably worded condition in terms of privacy and hours of use and construction works.

For the above reasons, the proposal is considered to comply with Policies DP21, DP25, DP26, DP29, DP35, DP39 and DP41 of the Mid Sussex District Plan, Policies S3 and H1 of the Burgess Hill Neighbourhood Plan, the relevant paragraphs of the Mid Sussex Design Guide SPD and the objectives of the National Planning Policy Framework. Planning permission should therefore be granted.

Decision: Permission

Case Officer: Andrew Horrell