

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2945	Case Officer:	Jessica Szollosi
Application Type:	Householder Application		
Proposal:	Retrospective application for a Dutch barn style shed at the front of property		
Site:	14 Culpepper, Burgess Hill, West Sussex, RH15 8UB, , , ,		
Validation Date	8 Dec 2025	Overall Expiry Date:	29 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	30 Jan 2026
Target Date:	2 Feb 2026	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	2 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2945

**14 Culpepper, Burgess Hill, West Sussex, RH15 8UB, , ,
Retrospective application for a Dutch barn style shed at the front of property
Mr Andrew Cobham**

SUMMARY OF REPRESENTATIONS

Two third-party letters of representation have been received. These letters object to the planning application on the following grounds:

- Retrospective nature of development
- Storage need does not justify front-garden development
- Harm to visual amenity and character
- Displacement of parking, boundary encroachment and obstruction of a shared driveway
- Impact on a Blue Badge holder
- Accuracy of information relating to trees and hedges and parking impact
- Parish consultee recommendation - lack of site-specific impact consideration
- Evidence of former parking use removed prior to inspection
- Loss of parking
- Precedent
- Highway and access safety
- Emergency services access
- Health and safety of neighbouring occupiers, particularly disabled

SUMMARY OF CONSULTEES

None.

BURGESS HILL TOWN COUNCIL OBSERVATIONS

Recommend Approval, while regretting the retrospective nature of the application.

Additional:

The Planning Committee notes concerns over loss of parking amenity and requested that: suitable parking management restrictions for parking amenity be required to comply with Policy DP28 Accessibility; and conditions regarding domestic storage only and suitable noise conditions be applied. Committee wished to note that had the residents' objection been available at the time of the Committee's initial recommendation, that recommendation may have been different.

INTRODUCTION

The application seeks retrospective planning permission for a Dutch barn style shed at the front of the property.

RELEVANT PLANNING HISTORY

BH/057/88 - Residential Development - 121 Units together with garages, estate roads and ancillary works.

SITE AND SURROUNDINGS

The application property is a south facing detached two-storey dwelling located at the end of a cul-de-sac within a residential housing estate. The property is located within the built-up area boundary of Burgess Hill.

The application property is constructed from brick and stone with plain roof tiles and white uPVC fenestration. The property has a north facing garden to the rear of the property and a small front garden and driveway to the south of the property with 3 off-street parking spaces. The driveway is accessed via an entrance off Culpepper shared with 15 Culpepper, a neighbouring property to the east of the application site.

The locality is characterised by detached and semi-detached dwellings of varying form, scale and design. The application site is surrounded by properties to the north, south and east and a public highway to the west. The boundary to the west adjoining the highway is marked by a 1.8m high close boarded fence and a mature tree and shrubbery. 12 Culpepper is located to the south of the property and the shed is located adjacent to the boundary joining this property's garden.

The outbuilding is located in the southwest corner of the plot forward of the principle elevation of the main dwelling at the end of a shared driveway on land owned by the applicant.

APPLICATION DETAILS

The application seeks retrospective planning permission for a Dutch barn style outbuilding forward of the principle elevation of the main dwellinghouse to be used for storage incidental to the main dwelling. The outbuilding has a width and depth of approximately 2.4 meters and 3 meters respectively. The barn style roof has a roof height of 2.42 meters where the roof pitch meets. The shed is timber clad with a black roof and north facing double doors looking onto the main dwelling.

The development is complete and the application is therefore made under s.73a of the Town and Country Planning Act 1990.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and 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 it 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

DP26 - Character and Design

DP28 - Accessibility

Site Allocations Development Plan Document

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

There are no relevant policies.

Burgess Hill Neighbourhood Plan

The Burgess Hill Neighbourhood Plan was drafted in January 2016.

Relevant policies:

S4 - Parking Standards for New Developments
Appendix D - New Parking Standards for Burgess Hill

Other Material Considerations

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 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:

DPB1 - Character and Design
DPT4 - Parking and Electric Vehicle Charging Infrastructure
DPH12: Accessibility

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.

National Policy

The National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8, 11, 117, 131 and 135 are considered to be relevant to this application.

It is noted that representations refer to the Public Sector Equality Duty. This is a requirement for all decisions made by public bodies to have regard to and may be considered a material consideration to which some weight could be attached.

ASSESSMENT

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

- Parking Provision
- Design and Character
- Impact on Neighbouring Properties
- Other material considerations
- Biodiversity Net Gain

Parking Provision

Development will be required to support the objectives of the West Sussex Transport Plan 2011- 2026, which are:

Policy DP21 of the Mid Sussex District Plan states:

'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.'

Policy S4 of the Burgess Hill Neighbourhood Plan states that:

'Design and layout of off site parking areas, on street parking areas, garage/parking blocks will be designed to allow ease of access from driveways and accessibility to parking areas without causing obstruction.'

Appendix D of the Burgess Hill Neighbourhood Plan states that three and four bed owned houses should have two designated parking spaces.

West Sussex County Council Parking Standards Guidance (2020), together with Policy S4 of the Burgess Hill Neighbourhood Plan, outlines the County Council's approach to parking at new developments to ensure that sufficient parking is provided to meet the needs of the development while maintaining highway network operations, protecting surrounding communities and pursuing opportunities to encourage use of sustainable modes of transport. West Sussex County Council Parking Standards Guidance (2020) and Policy S4 of the Burgess Hill Neighbourhood Plan outlines that for a three or four bedroom dwelling in this location, two parking spaces should be provided.

Following construction of the shed, there remains three off-street parking spaces to the front of the dwelling which is in line with the parking standards set out above as the dwelling has four bedrooms. The shed does not hinder accessibility as it is located in the southwest corner of the property and three off-street parking spaces remained following implementation of the development. There are also no on-road parking restrictions in the vicinity of the property.

The comments contained within the representation are noted, however, parking on areas of shared ownership or encroachment onto private property are private matters which cannot be taken into account in the determination of the application.

It is noted that the Town Council seeks the imposition of a planning condition relating to parking presumably related to the prevention of parking outside number 15. Such a condition would not be sound in planning terms in respect of reasonableness (as this behaviour could take place without the development having taken place) and its lack of enforceability by the Council. The parking on private or shared land is a private matter between the relevant parties and noting that the development is compliance with the relevant parking standards, such as condition would not be considered reasonable or justified.

It is therefore considered that, in this instance, the loss of a parking space the development would not be in conflict with policy DP21 of the Mid Sussex District Plan and Policy S4 of the Burgess Hill Neighbourhood Plan.

Design and Character

Policy DP26 of the Mid Sussex 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:'

o is of high quality design and layout and includes appropriate landscaping and greenspace;
o 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;
o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;
o protects open spaces, trees and gardens that contribute to the character of the area;
o protects valued townscapes and the separate identity and character of towns and villages;
o 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);
o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
o positively addresses sustainability considerations in the layout and the building design; o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
o optimises the potential of the site to accommodate development.'

The Mid Sussex Design Guide seeks high quality design from all proposed development.

The application relates to an established residential estate in Burgess Hill. Houses located on Culpepper, including the application site, are two storey dwellings which are built in a similar traditional design with varying form, materials and size.

Retrospective planning permission is sought to construct a Dutch barn style shed forward of the primary elevation of the main dwelling. The proposed outbuilding is of an acceptable stand alone scale and design and would not be easily visible from the wider street scene given its siting at the end of the driveway in the southwest corner of the property. Its timber cladding is sympathetic to the surrounding garden area and compliments the wood used on the porch pillars of the host dwelling.

That the building is located to the front of the property (rather than the rear) is not contrary to policies of the development plan and the development must be judged on its impact alone.

Noting the site does not lie in an area of any special designation and has limited visibility from wider views in terms of character and design, the proposal would not be considered to have a significant harmful impact upon the character and appearance of the area and therefore complies with policy DP26 of the Mid Sussex District Plan in terms of design and character.

Impact on Neighbouring Properties

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals should

'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'.

The shed is not easily visible from the street scene due to its location in the southwest corner of the property, unless looking directly west from the edge of the shared driveway in the Culpepper cul-de-sac or looking west from the neighbouring property located east of the application site. The top of the roof would be visible from 12 Culpepper to the south of the site.

The shed is set within a small garden at the end of a shared driveway to the front of the host dwelling and the surrounding trees and shrubs soften the amenity space surrounding the timber shed, giving it a natural appearance that blends into the surrounding area and would not be considered to cause any significant harm to the outlook of the neighbouring properties. That the development is visible alone is not considered to cause any harm to amenity.

Furthermore, the scale, form, design and siting of the shed in the southwest corner of the application property would not be considered to cause any significant harm related to privacy, daylight and sunlight, noise, air and light pollution.

A condition to secure the incidental nature of the building has been suggested and would be considered appropriate to protect future amenity.

Given the above, the development would not cause significant harm to the surrounding properties and thereby complies with DP26 of the Mid Sussex District Plan in terms of impact on neighbouring amenity.

Accessibility

In terms of impact on accessibility, Policy DP28 of the District Plan states that:

All development will be required to meet and maintain high standards of accessibility so that all users can use them safely and easily. This will apply to all development, including changes of use, refurbishments and extensions, open spaces, the public realm and transport infrastructure, and will be demonstrated by the applicant.

The shed is located in the south west corner of the application site in an area comprising part established garden and part driveway with three remaining off-street parking spaces available following implementation of the development. The neighbouring property's parking space is accessed at the beginning of the shared driveway and due to its separation of distance from the development and remaining parking spaces, we would not consider the parking loss to have an impact on the accessibility of the neighbouring property to the east of the development site.

The representations received are noted. However, with respect to the development under consideration (the construction of the shed) and the parking displacement, whilst the potential additional distance from the parking area to the property directly east of the development site is noted, this could have occurred prior to the development taking place and the development itself does not prevent or impede access to the neighbouring property nor public open spaces for those persons with disabilities.

The development therefore remains in compliance with the requirements of policy DP28 and the contents of paragraph 131 of the NPPF.

Matters relating to the Public Sector Equality Duty are considered elsewhere in this report.

Other Material Considerations

The representations received raise a number of other concerns which are addressed within the report or below:

Retrospective Nature of the development - Retrospective applications are a lawful part of the planning process as stated in s.73a of the Town and Country Planning Act 1990 and whilst the retrospective nature is regrettable, a retrospective planning application must be considered on its planning merits without penalisation.

Storage need does not justify front-garden development - The application is considered on the planning merits of the development before us not the applicant's personal reason for the development. However, a condition will accompany the decision relating to the use of the shed for storage purposes to ensure its compliance with policy DP26 of the Mid Sussex District Plan.

The Public Sector Equality Duty and impact on a Blue Badge holder - The Public Sector Equality Duty as set out in section 149 of the Equality Act 2020, requires public authorities to have due regard to certain equality considerations when exercising their functions. In making planning decisions, the Mid Sussex District Council Planning Officers ensure that due regard is given to the following when exercising its decision making function:

- *'Eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the act; and*
- *Advance equality of opportunity between people who share and people who do not share a relevant protected characteristic; and*
- *Foster good relations between people who share and people who do not share a relevant protected characteristic.'*

The owner / occupants of the property located east and adjacent to the site are also in receipt of a blue badge for a known disability. In terms of the Public Sector Duty above, in coming to a decision, the Council have considered impacts of the development upon the health and safety of the neighbouring occupiers, particularly the blue badge holder and the need for this occupant to have accessible parking following implementation of the development.

Given the separation of distance from the shed in the southwest corner of the application site, the three remaining off-street parking spaces on the driveway, the siting of the neighbouring property east of the application site with its car parking spaces located at the entrance of the shared driveway, this separation of distance would allow space for the owners and/or occupiers to access their driveway without obstruction, park and turn around, therefore, in terms of highway and access safety and emergency service access, the development itself (the shed) does not impact or prevent highway and access safety and emergency service access.

The development has been considered to be in compliance with the policies of the development plan and the grant of planning permission would not lead to any discrimination on grounds of disability, nor any other protected characteristics. The Council has had due regard to the PSED and that the development may have an impact on a person with a protected characteristic is not alone reason to refuse a planning application. The PSED is therefore not a material consideration which can attract only minimal weight in the determination of the application.

Accuracy of information submitted with the application with regards to trees and hedges, parking impact and visibility from public areas - Having visited the site to obtain a greater understanding of the development, site and surrounding area, it is clear to the Council that the planning permission sought is for the development as constructed and the application is considered to have been submitted under s.73a of the Town and Country Planning Act 1990 and any incorrect information provided does not alter the content of the application or the determination of the application.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the development would accord with the requirements of DP26 of the Mid Sussex District Plan given that the development is appropriate in terms of design and character and will not negatively impact the dwelling or its immediate setting and will not harm the neighbouring amenities in the existing residential estate. Furthermore, the development accords with the requirements of DP21 of the Mid Sussex District Plan and Policy S4 and appendix D of the Burgess Hill Neighbourhood Plan as the dwelling will retain three parking spaces in front of the house which meet the parking standards. In terms of DP28, the development is considered to maintain high accessibility standards and therefore the development is considered acceptable.

The requirements of the PSED are given regard but are not considered a material consideration to be given weight such that the policies of the development plan should not be applied in full. Therefore there are no material considerations to outweigh the policies of the development plan and that the

development is in compliance with such policies the development should be granted planning permission.

Decision: Permission

Case Officer: Jessica Szollosi