

Planning Statement

Proposed Alterations to External Elevations

Ashwyn Business Centre, Marchants Way, Burgess Hill

Prepared for
Campersales Limited



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Client: **Campersales Limited**

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Prepared by: **Dale Mayhew**
Director
BA (Hons) BTP MRTPI

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dowsettmayhew Planning Partnership Ltd
Mocatta House
Trafalgar Place
Brighton
BN1 4DU

Tel: 01273 686953
Email: info@dowsettmayhew.com

www.dowsettmayhew.com

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1. INTRODUCTION

- 1.1. This Planning Statement is in support of an application for a Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) in respect of proposed alterations to the external elevations of the Ashwyn Business Centre, Marchants Way, Burgess Hill. The application is submitted on behalf of the landowner, Campersales Limited.
- 1.2. Campersales have operated from the Sheddingdean Business Estate since 2008, initially from the building known as Unit G, Marchants Way. Since 2020, they have also operated from Units within the Ashwyn Business Centre. The business has organically grown and the firm currently occupy 4 of the units within the site. Aligned to this growth, they have now acquired ownership of the property.
- 1.3. In order to facilitate their ongoing use, and to upgrade the premises more generally, the owners propose to undertake alterations to the main east and west elevations of the building. This is principally changes to the roller shutter doors, to improve accessibility to the building to meet modern business requirements.
- 1.4. This application seeks confirmation from Mid Sussex District Council, as the Local Planning Authority, that the proposed works constitute permitted development by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and in particular under the provisions of Class A, Part 7 of Schedule 2.
- 1.5. The application is supported by the following documents:
 - Drawing No: 06 - Site Location Plan;
 - Drawing No: 05 - Site Plan;
 - Drawing No: 01 - Existing Elevations;
 - Drawing No: 02 - Existing Floorplan;
 - Drawing No: 03 - Floorplan and East Elevation - As Proposed; and
 - Drawing No: 04 - Floorplan and West Elevation - As Proposed;
- 1.6. This Statement details the site and its surroundings, sets out relevant planning background including planning application history, describes the proposed development, summarises key legislation pertinent to the determination of the application, and assesses compliance of the scheme against the allowances, limitations and conditions of the General Permitted Development Order.

2. SITE DESCRIPTION

- 2.1. The application site is located on the Sheddingdean Business Park, on the north-east edge of Burgess Hill.
- 2.2. It is accessed via Marchants Way, which runs broadly east to west from a roundabout junction with the B2036 (London Road) and Sussex Way.

- 2.3. The Ashwyn Business Centre is on the south side of Marchants Way. It is bordered to the east and west by business units and to the south by trees and woodland, separated by a pedestrian access way that connects Stonefield Way with Blackstone Way.
- 2.4. The Ashwyn Business Centre comprises a single storey building that measures some 24m wide (east-west) and 54m long (north-south). It has a central north-south ridgeline. The building is externally faced in brick with profile sheet cladding above, under a shallow pitched profile sheet roof.
- 2.5. There are openings in the east and west facing elevations. Within each elevation, this comprises 5No. roller shutter doors which run from the ground to eave, and 5No. pedestrian doors and windows. The north and south gable elevations are predominantly blank, except for 2 personal doors sited centrally in each elevation.
- 2.6. Internally, the building is separated in to 10 units, divided centrally (north-south) with 5 units to each (east and west) side. Each unit is served by a roller shutter door and pedestrian door. The units are single storey in layout.
- 2.7. There is hardstanding to the east and west of the building. Both have a vehicular access onto Marchants Way.
- 2.8. The site is generally delineated by a mix of fencing to the site boundaries.
- 2.9. The topography is generally level, with land rising to the rear (south).

3. BACKGROUND

- 3.1. The site was granted planning permission in November 1984, under application BH/205/84, for the construction of 10 starter industrial units.
- 3.2. In 2008, planning permission was granted for the erection of a 2m high triple point palisade fence with 2-leaf matching access gates across the 2 access points serving the site.
- 3.3. Campersales Limited first occupied Units 9 and 10 (north-east part of the building) in February 2020. Subsequently, the adjacent unit to the south (Unit 8) was occupied in November 2023, and the next unit to the south of this (Unit 7) was occupied in January 2025.
- 3.4. In June 2025, a Section 73 planning application was submitted for removal of Condition 8 of BH/205/84 (Local Planning Authority reference DM/25/1666).
- 3.5. The condition stated:

“Except with the prior consent in writing of the Local Planning Authority, no more than 1 factory unit having a floor area of 150 square metres or less shall be occupied at any one time by any 1 firm or subsidiary thereof.”
- 3.6. By that time Campersales Limited were in occupation of 4 of the 10 units. The application was therefore submitted to enable regularisation of their use.

- 3.7. The application was reported to the Mid Sussex District Council Planning Committee meeting of 11th September 2025. In consideration of the proposal, the Case Officers Planning Committee Report set out that:

“...Burgess Hill and the surrounding areas are well served by existing and new business units for Light Industrial uses, including those recently permitted at Goddards Green, at Bolney Grange Industrial Estate and in the town at Victoria Industrial Estate.

The site is located within the built-up area boundary of Burgess Hill and as such is within a sustainable location for development. The proposal accords within the aims of the District Plan Policy DP21 and can be supported on transport and accessibility grounds.

The position of the Ashwyn Business Centre relative to neighbouring residents and [the] nature of the proposed Light Industrial use means that there will be no adverse effect upon neighbouring amenities as a result of the removal of Condition 8 of BH205/84. Protection will be maintained over the permitted use, noise levels and hours of business as the recommended planning conditions that are currently applicable to the 10 original units are repeated from the 1984 approval, minus the now irrelevant pre-commencement conditions. The proposal is therefore considered to accord with District Plan Policy DP26 in regard to the protection of neighbouring amenities.

The character of the industrial estate at Marchants Way is established. The removal of Condition 8 of BH205/84 will not impact upon the neighbouring businesses in the vicinity of the Ashwyn Business Centre or negatively impact upon the character of the overall area. The proposal is therefore considered to accord with District Plan Policy DP26.”

- 3.8. Members resolved to approve the application and planning permission was granted in a Decision Notice dated 12th September 2025.
- 3.9. It is material to note that Condition 7 of the planning permission states that:

“The premises shall not be used other than for light industrial purposes falling within Class E(g)(iii) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) unless written consent is granted by the Local Planning Authority on an application in that behalf.”

4. PROPOSED WORKS

- 4.1. The site comprises a commercial business premises that is subdivided into a number of smaller units. This was originally 10 units, with 5No. accessed from the east elevation and 5No. accessed from the west elevation.
- 4.2. Each unit was designed to be served by a roller shutter door and associated personnel door, together with windows.
- 4.3. As detailed in the ‘Background’ section of this report, 4 of the units accessed from the west elevation are now occupied by the freehold owner of the site, Campersales Limited.

- 4.4. In order to facilitate their ongoing use, and to upgrade the premises more generally, it is proposed to undertake alterations to the east and west elevations of the building.
- 4.5. The work principally relates to changes to the roller shutter doors to improve accessibility to each of the units to meet modern business requirements.
- 4.6. Within each of the two main elevations, it is proposed to rationalise the number of roller shutter doors from 5No. to 4No.. Each roller shutter door would be widened from some 3.2m to some 5.3m. The height of each roller shutter door would be reduced from some 5.5m to 4.8m. The area above would be infilled in cladding to match the existing building.
- 4.7. The existing roller shutter doors are recessed back from the main elevation of the building with an oversailing roofline. The proposed roller shutter doors would be repositioned so that they are flush with the external elevation.
- 4.8. The proposed roller shutter doors would be externally finished in a grey to match the main cladding on the building.
- 4.9. In association with these changes, the scheme also envisages the reconfiguration of the position of existing personnel doors and removal of a number of the windows. There would be a personnel door positioned immediately adjacent to each of the 4No. number roller shutter doors in each elevation. The existing personnel doors at either end of the east and west elevations of the building would be retained.
- 4.10. There would be no alterations to either the north or south elevation of the building and no alterations to the site boundaries or access to the public highway.
- 4.11. The existing external treatment of the elevation of the building in brick with grey profile sheet cladding above, under a shallow pitch profile sheet roof, would be retained.

5. TOWN AND COUNTRY PLANNING ACT 1990

- 5.1. Section 192(1) of the Town and County Planning Act 1990 enables a person wishing to ascertain whether any proposed use of buildings or other land; or operations proposed to be carried out in, on, over or under land would be lawful, to apply to the Local Planning Authority for determination.
- 5.2. Section 192(2) states that if the Local Planning Authority are provided with sufficient information to satisfy them that the use or operations described in the application would be lawful if instituted or begin at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.
- 5.3. The burden of proof is firmly on the Applicant, who is required to describe the proposal with sufficient clarity and precision to enable the Local Planning Authority to understand (from a written description and plans) exactly what is involved in the proposal.

- 5.4. Section 192(3) provides that any certificate granted under this section shall specify the land to which it relates; describe the use or operations in question; give the reasons for determining the use or operations to be lawful; and specify the date of the application for the certificate.
- 5.5. Section 192(4) states the lawfulness of any use or operations for which a certificate is in force under this Section, shall be conclusively presumed, unless there is a material change before the use or development is instituted or the operations are begun.

6. NATIONAL PLANNING PRACTICE GUIDANCE

- 6.1. The National Planning Practice Guidance, comprises an online resource.
 1. This notes that there are two types of Lawful Development Certificate (LDC). This includes that a Local Planning Authority can grant a certificate confirming that a proposed use of buildings or other land, or some operations proposed to be carried out in, on, over or under land, would be lawful for planning purposes under Section 192 of the Town and Country Planning Act 1990. ¹
 2. The guidance notes that anyone can apply to the Local Planning Authority to obtain a decision on whether a proposed use or development is lawful for planning purposes. It notes that if the Local Planning Authority are satisfied that the appropriate legal tests have been met, it will grant a Lawful Development Certificate. It notes that once a Certificate has been granted following an application under Section 192, it means that any proposed use or development in accordance with it must be presumed as lawful, unless there is a material change before the use or development has begun. ²
 3. The guidance notes that an application needs to describe precisely what is being applied for and the land to which the application relates.³
 4. It notes that the applicant is responsible for providing sufficient information to support an application, although a Local Planning Authority always needs to cooperate with an applicant who is seeking information that the Authority may hold about the planning status of the land. It notes that a Local Planning Authority is entitled to canvas evidence if it so wishes before determining an application. If a Local Planning Authority obtains evidence, this needs to be shared with the applicant who needs to have the opportunity to comment on it and possibly produce counter-evidence. It notes that in the case of applications for proposed use, the applicant needs to describe the proposal with sufficient clarity and precision to enable a Local Planning Authority to understand exactly what is involved.⁴
 5. The guidance states that a Local Planning Authority needs to consider whether, on the facts of the case and relevant planning law, the specific matter is lawful. It notes that planning merits are not relevant at any stage in this particular application process. It notes that in determining an application for a prospective development under Section 192, a local planning authority needs to

¹ Paragraph Reference ID: 17c-001-20140306

² Paragraph Reference ID: 17c-002-20140306

³ Paragraph Reference ID: 17c-005-20140306

⁴ Paragraph Reference ID: 17c-006-20140306

ask “if this proposed change of use had occurred or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes?”.⁵

7. GENERAL PERMITTED DEVELOPMENT ORDER

- 7.1. The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) came into force on 15th April 2015.⁶
- 7.2. It has subsequently been amended, including on 01st August 2021, by the Town and Country Planning (General Permitted Development etc) (England) (No.2) Order 2021 (Statutory Instrument 2021/814).
- 7.3. Part 7 of Schedule 2, relates to ‘non-domestic extensions and alterations’. Class A of this Part relates to ‘extensions etc of commercial, business or service premises’.
- 7.4. Class A.3 sets out the ‘interpretation’ of Class A. It states that ‘commercial, business or service premises, means a building or part of a building used for any purpose that falls within Class E of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). This includes Class E(g)(iii) (industrial processes that can be carried out in a residential area without detriment to its amenity).

8. CONSIDERATION OF PROPOSED WORKS AGAINST THE ALLOWANCES AND LIMITATIONS OF THE GPDO

- 8.1. Class A, Part 7 of Schedule 2 of the GPDO states that it is permitted development for:

“The extension or alteration of a commercial, business or service establishment.”

- 8.2. Paragraph A.1 of Class A, Part 7 of Schedule 2 of the GPDO sets out the limitations of development that comprise permitted development under this Class. These are considered below.

A.1(a) Development is not permitted if the gross floorspace of the original building would be exceeded by more than (i) in respect of an original building or development on (aa) article 2(3) land, or (bb) a site of special scientific interest, 25% or 50 square metres (whichever is the lesser); or (ii) in any other case, 50% or 100 square metres (whichever is the lesser).

- 8.3. The building is not located on Article 2(3) land. This is defined in Schedule 1 of the GPDO as land within a designated Conservation Area; an Area of Outstanding Natural beauty (now National Landscape); an area specified for the enhancement and protection of the natural beauty and amenity of the countryside for the purposes of Section 41(3) of the Wildlife and Countryside Act 1981; the Broads; a National Park; and a World Heritage Site.
- 8.4. The works are therefore subject to the limitations of A.1(a)(ii).

⁵ Paragraph Reference ID: 17c-009-20140306

⁶ Statutory Instrument 2015: No.: 596

- 8.5. The works would not increase the gross floorspace of the original building. This is defined as the area covered by the roof of the building.
- 8.6. Were it considered that the reposition of the doors to the outer face of the building resulted in an increase in floorspace, this would result in a floorspace increase of 58m². This equates some 4.5% of the the floorspace of the building and is less than 100m².

A.1(b) Development is not permitted if the height of the building as extended would exceed 4 metres.

- 8.7. The proposed development does not envisage an extension to the building.

A.1(c) Development is not permitted if any part of the development (other than an alteration) (i) is on land which (aa) adjoins other premises which are used for a purpose falling within any of the classes in Part C (residential premises or institutions) of Schedule 1 to the Use Classes Order, (bb) is article 2(3) land, or (cc) is a site of special scientific interest, and (ii) is within 2m of any boundary of the curtilage of the premises.

- 8.8. The proposed development comprises an alteration to the existing building.
- 8.9. Furthermore, the site does not adjoin a premises within a Class C use, is not on article 2(3) land (as defined in Schedule 1 of the GPDO), nor is it within a site of special scientific interest.

A.1(d) Development is not permitted if the development would be within the curtilage of a listed building.

- 8.10. The development is not within the curtilage of a listed building.

A.1(e) Development is not permitted if any alteration would be on article 2(3) land.

- 8.11. The site is not located on article 2(3) land (as defined in Schedule 1 of the GPDO).

A.1(f) Development is not permitted if the development would consist of or include the construction or provision of a verandah, balcony or raised platform.

- 8.12. The development does not include the construction or provision of a verandah, balcony or raised platform.

A.1(g) Development is not permitted if any part of the development would extend beyond the front of any existing building.

- 8.13. The building is orientated with its north elevation facing the public highway. However, the east and west elevations provide the main access points to the building.
- 8.14. Irrespective of this, no part of the development would extend beyond the existing outer face of any elevation of the building.

A.1(h) Development is not permitted if the development would involve the insert or creation of a new shop front or the alteration or replacement of an existing shop front.

- 8.15. The existing building does not contain a shop front, neither does the development envisage the insertion or creation of a shopfront.

A.1(i) Development is not permitted if the development would involve the installation or replacement of a security grill or shutter on a shop front.

- 8.16. The existing building does not contain a shop front, nor is it proposed to install a shop front.
- 8.17. Works that are permitted under Class A of Part 7 of Schedule 2 of the GPDO are subject to a number of 'conditions' set out in A.2. Consideration in relation to these conditions are set out below.

A.2(a) Development is permitted by Class A subject to any alteration being at ground floor level only.

- 8.18. The building is a single storey structure, and the proposed works comprise an alteration at ground floor level only.

A.2(b) Development is permitted by Class A subject to any extension, in the case of article 2(3) land, being constructed using materials which have a similar external appearance to those used for the building being extended.

- 8.19. The development does not comprise an extension, and furthermore, the site is not located on article 2(3) land (as defined in Schedule 1 of the GPDO).
- 8.20. Notwithstanding this, the proposed alterations would use materials that have a similar external appearance to the existing building.

A.2(c) Development is permitted by Class A subject to any extension or alteration is only to be used as part of, or for a purpose incidental to, the use of the commercial, business or service establishment.

- 8.21. The proposed works relate to alterations to the external appearance of the building and would only be used for purposes incidental to the lawful E(g)(iii) use of the building.
- 8.22. Having regard to the limitations and conditions of Class A, Part 7 of Schedule 2 of the General Permitted Development Order, it is considered that the proposed works constitute permitted development.

9. SUMMARY

- 9.1. This Statement is in support of an application submitted under Section 192(1) of the Town and Country Planning Act 1990, to seek confirmation that proposed works to an existing building, known as the Ashwyn Business Centre, do not require planning permission.

- 9.2. The building has a lawful use for Class E(g)(iii) purposes, as set out in the recent planning permission that relates to the site in 2025 (Local Planning Authority reference DM/25/1666). The proposal envisages alterations to the east and west elevations of the building, principally in relation to replacement roller shutter doors to improve accessibility to each of the business units to meet modern business requirements.
- 9.3. Works for the extension or alteration of existing commercial, business or service establishments, falling within Class E, that comprise permitted development are set out under the provisions of Class A, Part 7 of Schedule 2 the Town and Country Planning (General Permitted Development Order 2015 (as amended)
- 9.4. The proposed works are in full accordance with the limitations and conditions associated with this permitted development Class.
- 9.5. On this basis, it is considered that the works constitute permitted development and thus do not require planning permission from the Local Planning Authority.
- 9.6. It is requested that the Local Planning Authority confirm this via the issue of a Lawful Development Certificate under Section 192 of the Town and Country Planning Act 1990.