

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/2010	Case Officer:	Peter Davies
Application Type:	Full Application		
Proposal:	Installation of a fence, photovoltaic panels, new doors, a new loading bay door, new roof cladding and rooflights, new guttering, reconfiguration of the existing car park layout and other associated works.		
Site:	International Logistics Group Ltd, Logistics House, 2 Charles Avenue, Burgess Hill, West Sussex, RH15 9TQ, ,		
Validation Date	13 Aug 2026	Overall Expiry Date:	9 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Oct 2026
Target Date:	8 Oct 2026	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	12 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/2010

International Logistics Group Ltd, Logistics House, 2 Charles Avenue, Burgess Hill, West Sussex, RH15 9TQ,

Installation of a fence, photovoltaic panels, new doors, a new loading bay door, new roof cladding and rooflights, new guttering, reconfiguration of the existing car park layout and other associated works.

Hathaway Opportunity Fund General Partner Ltd

SUMMARY OF REPRESENTATIONS

None received.

TOWN COUNCIL OBSERVATIONS

The Committee of 14th September would Recommend Approval.

INTRODUCTION

The application seeks planning permission for the installation of a fence, photovoltaic panels on roof, new doors, new loading bay door, new roof cladding and roof lights, reconfiguration of car park and other associated works.

RELEVANT PLANNING HISTORY

DM/17/3120 - Change of use from offices to warehouse storage. Proposed knocking through existing block wall on first floor to allow the access for loading of pallets and stock via forklifts to this area. Permission

SITE AND SURROUNDINGS

The application site is a two storey warehouse building located on the south side of Edward Way with Charles Avenue on the east side. The site is located within the built-up area boundary of Burgess Hill.

The building has a gentle sloping pitched roof hidden behind a parapet wall. The building is constructed from brick and light grey cladding with dark grey fenestration. The building is set back from the highway with soft landscaping to the west side facing Charles Avenue, soft landscaping and car park to the north (front) side of the building and car park on the west side. The locality consists of large commercial and industrial buildings to the north, south and east sides with a grass area to the east with large units beyond.

APPLICATION DETAILS

The application seeks planning permission for the installation of a fence, photovoltaic panels on roof, new doors, new loading bay door, new roof cladding and roof lights, reconfiguration of car park and other associated works.

The proposed fence will have a height of 2.1 metres running along the western boundary approximately 45 metres. The fence is to be weld mesh.

The roof is to be re clad in composite metal cladding with 14 no. rooflights with a size of 1.0 metre by 9.70 metres. On the eastern end of the buildings roof approximately 60 photovoltaic panels are to be installed covering 2 no. areas of 5 metres by 10 metres.

A new shutter door is to be installed approximately 2.25 metres from the existing shutter door on the north (front) elevation. The door will have a width and height of approximately 4.25 metres and 5.20 metres. The shutter door is to be anthracite colour. Existing fire doors on the west and south elevations are to be replaced with new anthracite fire doors. The existing brick, grey cladding, shutter door, windows and front entrance are to be painted anthracite colour.

An amended roof plan was received to remove wording that the location of the photovoltaic panels was indicative.

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) Any 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 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:

DP26 - Character and Design

Site Allocations DPD

The SADPD 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 (made January 2016)

No relevant policies

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

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 Planning Policy Framework (NPPF) (August 2026)

National Planning Policy Guidance

ASSESSMENT

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

- Design and Character
- Impact on neighbouring properties
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan relates to character and design. However, the policy is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The proposed alterations to the property would be acceptable in design and form and not increase the size of the building. The development would be visible from the street scene, however would be

appropriate to the design and character of the building and use appropriate materials. Due to the parapet wall, the alterations to the roof and the photovoltaic panels have potentially glimpsed views, however would largely remain not visible. The locality consists of large commercial warehouse and industrial buildings of varying designs.

Limited information has been provided on the photovoltaic panels, however additional information could be provided prior to the installation using a suitably worded condition.

Therefore, the application is considered to comply with the above part of policy DP3 of the NPPF and policy DP26 of the District Plan.

Impact on neighbouring properties

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. Policy DP29 seeks to ensure that new development does not result in unacceptable levels of noise, light and air pollution. It is considered that these policies have very limited weight as they are considered to be materially inconsistent with the NPPF, and consideration should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have '*acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*'.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals '*Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site*'.

The proposed alterations and works do not enlarge the building with the only additional opening being the shutter door located on the front elevation next to an existing shutter door. This will face onto a car park within the application site and the highway. The neighbouring properties are large commercial and industrial buildings and therefore will not cause unacceptable harm to neighbouring properties. The proposal is therefore considered to comply with the above mentioned parts of policies L2 and P3 of the NPPF and policies DP26 and DP29 of the District Plan.

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 comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion the proposal would not have an adverse impact on the character of the building or the character and appearance of the area and would be acceptable in terms of impact to neighbour amenities. The proposal therefore accords with policies DP3, L2 and P3 of the NPPF and policy DP26 of the Mid Sussex District Plan. The application therefore accords with the NPPF and Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies