

Tuesday, 09 December 2025

Objection to Application DM/25/2401

Site Address: 33 Badgers Walk, Burgess Hill, West Sussex, RH15 0AE

Description: Conversion of a detached garage into a garden room and the conversion of a uPVC front porch into a brick construction of the same dimensions

Introduction:

This objection letter has been submitted on behalf of [REDACTED] 32 Badgers Walk.

This addendum is submitted further to the objection dated 27 October 2025 in respect of the above application. Revised plans have now been provided, which is welcomed in principle. However, the amendments do not overcome the significant concerns previously raised in relation to residential amenity, and there are now additional ecological concerns regarding bats.

It is also noted that the published description of development has not been updated to reflect the material construction of the converted garage and associated works. This lack of clarity is unhelpful, as it does not transparently describe the true nature, permanence and visual presence of the structure, and risks understating its impact in terms of bulk and massing when compared with the previous, lighter weight form.

Discussion of Scheme:

Residential Amenity Impacts:

As set out in the earlier objection, the converted garage presents as an unduly tall and solid flank directly on the shared boundary with No. 32. Measured on site at around 2.9 metres at the boundary, it reads as a materially taller and more enclosing form than the pre existing structure, which sat below the head of the rear facing window at No. 32.

The revised drawings do not alter the fundamental relationship between the building and the neighbouring property. The key issues therefore remain. The height on the shared boundary is excessive and materially above the 2.5 metre benchmark ordinarily applied to outbuildings within 2 metres of a boundary under the permitted development regime. The resulting wall is experienced at very close quarters from the rear patio and ground floor habitable room windows of No. 32 as a continuous, solid mass that creates a pronounced sense of enclosure and dominance when viewed from the garden and main rear facing rooms. This is compounded by a material loss of outlook and increased overshadowing during key amenity periods, particularly given the deepened eaves, which bring additional bulk closer to eye level and further reduce visible sky.

Nothing in the amended plans reduce the built height at the boundary, lessen the depth of the eaves, or pull mass away from the most sensitive parts of the neighbouring garden. In practical terms, the overbearing impact, the loss of outlook and the increased overshadowing remain as previously described and are readily appreciable on site.

For these reasons, the proposal continues to conflict with Policy DP26 of the Mid Sussex District Plan, which seeks to avoid significant harm to the amenities of nearby residents, including in respect of outlook, daylight and sunlight. It also fails to secure the high standard of amenity for existing and future users required by the National Planning Policy Framework.

Unless the scheme is revised to achieve a materially reduced height at the boundary (to that previously in place) and a slimmer eaves profile, the harm to the living conditions of the occupiers of No. 32 will persist.

Bat roost potential and ecological concerns

Since the original objection was submitted, ecological advice has been provided to the local planning authority. That advice identifies a realistic potential for impacts on roosting bats arising from the conversion of the existing garage to habitable accommodation and concludes that there is insufficient ecological information to determine the application.

It is noted that no ecological information has been submitted with the application and that no photographs of the garage have been provided to enable an assessment of bat roost potential. In line with Government Standing Advice, further survey work is required where development affects existing buildings that may support roosting bats. At a minimum, up to date photographs of the structure are needed. Where potential roost features are present, a Preliminary Roost Assessment by a suitably qualified ecologist is required in accordance with current professional guidance.

National policy and Circular 06/2005 are clear that the presence or otherwise of protected species, and the extent to which they may be affected, must be established before planning permission is granted. On this basis, the ecologist has advised a temporary holding objection in respect of European Protected Species, pending the submission of suitable information and, if necessary, bat surveys and mitigation proposals.

The proposal is retrospective and works to the garage have already taken place to facilitate its conversion. This raises an additional and serious concern. If bats were present within the structure before the works were carried out, there is a real possibility that roosts may already have been disturbed or destroyed as a result of unauthorised operations.

Granting permission in the absence of adequate ecological information would risk regularising a development that has already had an adverse impact on a European Protected Species and would fail to demonstrate that the local planning authority has properly discharged its duties under the Conservation of Habitats and Species Regulations 2017 and its biodiversity duty under section 40 of the NERC Act 2006.

In light of the retrospective nature of the case, it is particularly important that the Council obtains robust ecological evidence at this stage. Where survey work indicates that bats have been affected, any necessary steps, including liaison with Natural England and proportionate remedial or compensatory measures, should be secured before permission is granted.

The ecologist has confirmed that the development benefits from the householder exemption to mandatory biodiversity net gain. However, the same advice recommends that reasonable biodiversity enhancements for protected and Priority species are identified and secured by condition, in line with national policy expectations for measurable net gains.

If the Council is ultimately minded to approve the application, despite the amenity concerns set out above, any permission should at minimum be subject to conditions requiring the submission and

approval of an appropriate bat survey and any resulting mitigation or licensing, alongside a Biodiversity Enhancement Strategy that delivers specific and measurable on site enhancements such as suitable bat and bird boxes and native planting.

Conclusion:

In summary, the revised plans are noted but do not address the fundamental concerns previously raised in respect of overbearing impact, loss of outlook and increased overshadowing to No. 32. The proposal remains in conflict with Policy DP26 and the amenity aims of the National Planning Policy Framework.

Ecological advice now before the Council confirms that there is insufficient information regarding potential bat roosts and that a holding objection is in place pending submission of further details and, where necessary, survey work. The retrospective nature of the development heightens concern that bats may already have been disturbed, reinforcing the need for a cautious approach and full compliance with relevant wildlife legislation. The absence of an updated and accurate description of development, particularly regarding the material construction of the converted garage, further undermines the clarity and transparency that should accompany the decision-making process.

Accordingly, it is respectfully requested that planning permission is refused.