

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2722	Case Officer:	Jessica Szollosi
Application Type:	Householder Application		
Proposal:	Retrospective planning application for the conversion of an existing garage into habitable accommodation and alterations to the front and rear elevation fenestration		
Site:	1 Fox Close, Burgess Hill, West Sussex, RH15 9UR, , , ,		
Validation Date	23 Oct 2025	Overall Expiry Date:	9 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Dec 2025
Target Date:	18 Dec 2025	Recommending Officer Signature:	Jessica Szollosi

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	11 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2722

**1 Fox Close, Burgess Hill, West Sussex, RH15 9UR, , ,
Retrospective planning application for the conversion of an existing garage into habitable
accommodation and alterations to the front and rear elevation fenestration
K Harrison**

SUMMARY OF REPRESENTATIONS

No third-party letters or representation have been received.

SUMMARY OF CONSULTEES

None.

TOWN COUNCIL OBSERVATIONS

The Burgess Hill Town Council recommend approval while regretting the retrospective nature of the application and the loss of a garage.

INTRODUCTION

The application seeks retrospective planning permission for the conversion of a garage into habitable accommodation and alterations to the front and rear elevation fenestration

RELEVANT PLANNING HISTORY

BH/115/91 - Residential Development for approximately 625 dwellings with public play areas, retail food superstore and associated parking and petrol service station.

SITE AND SURROUNDINGS

The application property is a south facing, link-detached two-storey dwelling located on the corner of Beale Street and Fox Close within the built-up area boundary of Burgess Hill.

The application property is constructed from brick with plain roof tiles and white uPVC fenestration. The dwelling had an intergraded single garage which was set back from the highway with soft landscaping and 2 off street parking spaces to the front. The locality is characterised by detached dwellings of a similar design along Fox Close and Beale Street.

APPLICATION DETAILS

The application seeks retrospective planning permission for a single garage conversion into habitable space.

The only external changes are the removal of the garage door which has been part-bricked, with the inclusion of a large window to the front of the property and to the rear of the property, a single door has been replaced by a window and bifold doors installed leading out into the rear garden. The materials implemented are similar in appearance to the existing dwellinghouse.

Planning permission for the garage conversion is required due to condition 6.4 of the original planning permission for the housing estate within which the dwelling is located. Condition 6.4 of planning permission BH/115/91 reads as follows:

'Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 as amended, no garage on any phase of residential development hereby permitted shall be converted to habitable accommodation without the prior written approval of the Local Planning Authority.

Reason: To ensure adequate provision is maintained for parking of vehicles clear of the highway.'

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

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 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.

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) 2024 is also a material consideration and paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

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
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 in part:

'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:

'In cases where planning permission is necessary for alterations and extensions to properties support will not be given for the conversion of garage space to habitable rooms/ residential use unless there is adequate space to park cars off street in line with the parking standards. 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 bedroom dwelling in this location, two parking spaces should be provided.

There remains two off road parking spaces to the front of the dwelling, which is in line with the parking standards set out above. There are also no parking restrictions on the public highway adjacent to the dwelling.

It is therefore considered that, in this instance, the loss of garage space would be acceptable in terms of 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:

*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;

Protects valued townscapes and the separate identity and character of towns and villages;

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 DP27);

Creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;

Incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;

Positively addresses sustainability considerations in the layout and the building design;

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;

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 Fox Close, including the application site, are two storey dwellings which are built in a similar traditional design and form, set back from the highway.

Retrospective planning permission is sought to convert a garage into habitable accommodation, namely a kitchen. The only external changes are, to the front elevation, the removal of the garage door, the opening part built-up in the same material as the existing house and the installation of a white uPVC window to match the other windows in situ. To the rear, the changes include the removal of a single door, and the remaining door opening part-built up with the installation of a white uPVC window and the installation of grey aluminium bifold doors to the west of the rear elevation. It is considered that the windows would be acceptable in design terms and would not appear incongruous within the current street scene.

The works would not have a harmful impact on the character of the area, or the dwelling and therefore the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan.

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*

dwelling, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'.

With regards to the impact on neighbouring amenity, no changes to the form or height of the building have been implemented. No loss of light or outlook would therefore arise from the proposal. The development would not be considered to cause any significant overlooking and privacy concerns as the front window looks out towards the road and the bifold patio doors would be the most westerly openings and associated with the living area. Given the separation of distance from the neighbouring property at 2 Fox Close and the absence of neighbours on the western boundary and the domestic nature of the development, it is considered that there would not be any significant harm in terms of noise, air or light pollution.

Given the above, the development would not cause significant harm to the surrounding properties and thereby complies with DP26 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. 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 policy DP21 and DP26 of the Mid Sussex District Plan given that the development is appropriate in terms of design 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 Policy S4 and appendix D of the Burgess Hill Neighbourhood Plan as the dwelling will retain two parking spaces in front of the house which meet the parking standards and the loss of garage space would be deemed acceptable in this instance. The development is therefore considered acceptable.

Decision: Permission

Case Officer: Jessica Szollosi