

## Delegated Decision

### Sign off Sheet

|                                              |                                                                                                                                                                                                                                                                                                                |                                        |                    |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------|
| <b>Ref. No:</b>                              | DM/26/0912                                                                                                                                                                                                                                                                                                     | <b>Case Officer:</b>                   | Katherine Williams |
| <b>Application Type:</b>                     | Full Application                                                                                                                                                                                                                                                                                               |                                        |                    |
| <b>Proposal:</b>                             | Proposed new accessible toilet within the existing fire escape lobby. Construct a new fire escape route moving fire escape door and creating a new external pathway on concrete raised path with handrail. Infill panel to old door and partial infill to existing window and new external emergency lighting. |                                        |                    |
| <b>Site:</b>                                 | United Reformed Church, Junction Road, Burgess Hill, West Sussex, RH15 0JS, , ,                                                                                                                                                                                                                                |                                        |                    |
| <b>Validation Date</b>                       | 27 Apr 2026                                                                                                                                                                                                                                                                                                    | <b>Overall Expiry Date:</b>            | 19 May 2026        |
| <b>Pre-Commencement Conditions Required:</b> |                                                                                                                                                                                                                                                                                                                | <b>Pre-Com Conditions Date Agreed:</b> |                    |
| <b>Recommendation:</b>                       | Permission                                                                                                                                                                                                                                                                                                     | <b>Recommendation Date:</b>            | 20 May 2026        |
| <b>Target Date:</b>                          | 22 Jun 2026                                                                                                                                                                                                                                                                                                    | <b>Recommending Officer Signature:</b> | Katherine Williams |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |             |              |             |
|------------------------------|-------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | Steven King | <b>Date:</b> | 20 May 2026 |
| <b>Comments:</b>             |             |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/26/0912**

**United Reformed Church, Junction Road, Burgess Hill, West Sussex, RH15 0JS, ,  
Proposed new accessible toilet within the existing fire escape lobby. Construct a new fire escape route moving fire escape door and creating a new external pathway on concrete raised path with handrail. Infill panel to old door and partial infill to existing window and new external emergency lighting.**

**Mr Bernard Dignum**

### **SUMMARY OF REPRESENTATION**

None received

### **SUMMARY OF CONSULTEES**

None received

### **TOWN COUNCIL OBSERVATIONS**

The Committee of 11th May would Recommend Approval.

### **INTRODUCTION**

The application seeks planning permission a new accessible toilet within the existing fire escape lobby. Construction of a new fire escape route moving fire escape door and creating a new external pathway on concrete raised path with handrail. Infill panel to old door and partial infill to existing window and new external emergency lighting.

### **RELEVANT PLANNING HISTORY**

02/01202/FUL - Demolition of existing side hall to rear and construction of new hall to side and rear of existing main hall. Granted

### **SITE AND SURROUNDINGS**

The application property is located on the eastern side of Junction Road, within the built up area of Burgess Hill, and consists of All Saints, a United Reformed Church.

The site includes a large single storey building with a grand frontage with a gable end and pillars and a white rendered finish. The building is set back from the highway with a front parking area with a front boundary wall and fence.

The locality largely consists of residential properties of varying forms and designs, with some examples of ground floor commercial premises along the western side Junction Road and further to the south. This gives the locality a varied character which the individual character of the application property contributes to.

### **APPLICATION DETAILS**

The proposal would result in the creation of an accessible toilet within an area which currently forms a hallway and entrance to the rear of the building. This internal alteration would result in the removal of the existing external door and infilled with a high level window.

A new external access would be created to remove existing east facing glazing with an entrance door and surrounding windows. This access would include a ramp and railing to allow step free access with an emergency light.

The proposed works would be constructed in materials to match the existing building.

## **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) And 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, Burgess Hill Neighbourhood Plan and Site Allocation DPD.

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

DP28 - Accessibility

### **Site Allocations DPD**

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

No relevant policies.

### **Burgess Hill Neighbourhood Plan (made September 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 (Regulation 19) is currently at Examination and hearings were concluded on the 19th March 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:

DPS1 - Climate Change  
DPS2 - Sustainable Design and Construction  
DPN2 - Biodiversity Net Gain  
DPB1 - Character and Design  
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 Planning Policy Framework (NPPF) (December 2024)

Paragraph 12 of the NPPF states *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

Paragraph 39 of the NPPF states *'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'*

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

### National Planning Policy Guidance

#### *National Design Guide*

#### *Ministerial Statement and Design Guide*

On 1 October 2019 the Secretary of State for the Ministry of Housing, Communities and Local Government made a statement relating to design. The thrust of the statement was that the Government was seeking to improve the quality of design and drive up the quality of new homes. The Government also published a National Design Guide, which is a material planning consideration.

The National Design Guide provides guidance on what the Government considers to be good design and provides examples of good practice. It notes that social, economic and environmental change will influence the planning, design and construction of new homes and places.

## **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 neighbour amenities
- Biodiversity Net Gain

### **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 requires all development to be of a high standard of design.

The proposal is considered to be of a form, scale and design so that the alterations would be appropriate to the character of the property and would result in a small scale change to the appearance of the building. The proposed works would be located to the rear of the building and would not be visible from the highway or within the streetscene. It is therefore considered that the proposal would reflect the character and scale of the existing property and the character of the locality.

### **Impact on neighbouring properties**

Policy DP26 seeks to ensure that development:

*'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);'*

To the northern side and rear of the site are the properties located on the southern side of Oakwood Road which back onto the application property. On the southern side are properties on the northern side and end of the cul-de-sac of Doubledays, which also back onto the application site.

The proposal would result in external changes to the fenestration of the building and the relocation of an existing rear entrance to building. Given the minor nature of the proposal and the existing relationship with neighbouring properties it is considered that the proposal would not cause harm to amenities.

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

#### **CONCLUSION**

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the surrounding buildings, and would not cause harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26 and the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision:       Permission

Case Officer: Katherine Williams