

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0042	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	Proposed repositioning of the existing shop entrance door within the shopfront, retaining a recessed entrance and changing the door opening direction.		
Site:	Homestyle, 23 Station Road, Burgess Hill, West Sussex, RH15 9DE, , ,		
Validation Date	7 Jan 2026	Overall Expiry Date:	30 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 Feb 2026
Target Date:	4 Mar 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
--	--	-------------------------------	---

Signed and Agreed By:	<i>Steven King</i>	Date:	13 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0042

**Homestyle, 23 Station Road, Burgess Hill, West Sussex, RH15 9DE, ,
Proposed repositioning of the existing shop entrance door within the shopfront, retaining a
recessed entrance and changing the door opening direction.
Ms Lan Anh Thi Do**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

The Committee of the 27th January would Recommend Approval.

INTRODUCTION

This application seeks planning permission for the repositioning of the existing shop entrance door within the shopfront, retaining a recessed entrance and changing the door opening direction.

RELEVANT PLANNING HISTORY

BH/231/77- Internally illuminated box sign. Permission.

BH/056/81- One projecting box sign. Permission.

SITE AND SURROUNDINGS

23 Station Road is a two-storey terraced property, occupying a mid-terrace position.

The property is characterised by aluminium windows and a plain tile roof.

The site is located in a parade of shops and commercial premises with upper floor flats on the road junction with Church Road in the centre of Burgess Hill, close to the station. The property lies within the built-up area boundary of Burgess Hill. Neighbouring properties lie to the east and west. Highway is to the north and south.

APPLICATION DETAILS

The proposal seeks permission to reposition an existing shop front and change the door opening direction.

The proposed shop front would measure some 2.6 metres in width and would be recessed from the front elevation by some 0.6 metres. It is proposed to install double doors on the front (northern) elevation.

An application for Advertisement Consent is being considered under DM/26/0152.

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, and*
- 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 the Burgess Hill Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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

DP1 - Sustainable Economic Development

DP2 - Town Centre Development

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

The Burgess Hill Neighbourhood Plan was made in 2016.

There are no relevant policies.

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.

Relevant policies:

DPB1 - Character and Design

DPS2 - Sustainable Design and Construction

DPE1 - Sustainable Economic Development

DPE2 - Existing Employment Sites

DPE6 - Development within Primary Shopping Areas

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)

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

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

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- o Design and Impact on the character and appearance of the area
- o Impact on Residential Amenity
- o Biodiversity Net Gain
- o Planning Balance and Conclusion

Design and Impact on the character and appearance of the area

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages, as well as addressing the character and scale of the surrounding buildings and landscape. In part, the policy requires proposals to be of a high-quality design and layout; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

Policy DP2 of the District Plan relates to Town Centre Development and requires that proposals should enhance the shopping facilities available and not undermine the retail function of the area.

The proposal should be viewed within the context of Station Road and is considered to be modest in scale. The proposal would reposition the door so that it would still be recessed but it would be more in keeping with the surrounding shop fronts on Station Road. In this regard, the proposal is considered to be an improvement on the existing arrangement. It is considered that this design, in the proposed location, would not cause harm to the character of the area. It is therefore considered that the application would accord with policies DP2 and DP26 of the District Plan.

Impact on Residential Amenity

In terms of impact upon neighbouring amenities, Policy DP26 in part 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 DP29);'*

Given the modest nature of the proposal and that the shop front would still be recessed, it is not considered that the proposal would cause harm to the amenities of nearby neighbours.

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.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Burgess Hill Neighbourhood Plan.

The proposal is acceptable both in terms of the principle and in terms of impact on the character and appearance of the area, and would not cause harm to the amenities of neighbouring properties.

Therefore the proposal complies with Mid Sussex District Plan policies DP2, and DP26, and the relevant provisions of the NPPF.

It is therefore recommended that planning permission be granted.

Decision: Permission

Case Officer: Catherine Cardin