

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0300	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Removal of existing concrete panelled garage and side lean-to, and conversion of existing attached double garage into annex.		
Site:	Brackendean, 20 Folders Lane, Burgess Hill, West Sussex, RH15 0DR, , ,		
Validation Date	6 Feb 2025	Overall Expiry Date:	
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Apr 2025
Target Date:	3 Apr 2025	Recommending Officer Signature:	Caroline Grist

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	7 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0300

**Brackendean, 20 Folders Lane, Burgess Hill, West Sussex, RH15 0DR, ,
Removal of existing concrete panelled garage and side lean-to, and conversion of existing
attached double garage into annex.
Mr Cook**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Tree Officer

I have reviewed the Tree Survey, Impact Assessment and Tree Protection Plan and have no objection.

Please do condition adherence to these documents.

TOWN COUNCIL OBSERVATIONS

Recommend Approval. The Committee regret the loss of a garage.

INTRODUCTION

Planning permission is sought to remove the existing concrete panelled garage and side lean-to, and convert the existing attached double garage into annex.

RELEVANT PLANNING HISTORY

BH/239/80 - Double garage and lobby. Permission.

05/02156/FUL - Single storey extension to north elevation. Permission.

DM/24/1995 - Proposed detached double garage (with store over), roof light windows to front and rear elevations and external staircase to side, in the front garden of the existing house, including extending and realigning the existing driveway. Permission.

SITE AND SURROUNDINGS

Brackendean, 20 Folders Lane, is a north facing, detached, two storey dwelling. The dwelling is predominantly finished in cream render, with a red brick base, plain tile roof and white windows. It has benefitted from previous extensions, including an integral double garage to the side.

The property is located within the built up area of Burgess Hill. Neighbouring dwellings are located to the south, east and west, whilst the highway is to the north. The dwelling is set back behind a vehicular access and lawn. Mature trees are located along the property frontage, some of which along the northern and western boundaries are protected by a Tree Preservation Order (TPO).

APPLICATION DETAILS

This application seeks planning permission for works in relation to the existing attached garage. It is firstly proposed to remove existing structures attached to the rear of the garage, which comprise enclosed and semi-enclosed storage spaces. These areas are to be used as a patio. It is then proposed to convert the remaining, main garage space, which is internally connected to the main house, to an annexe. This annexe would contain a living room, bedroom and shower room. Externally it is proposed

to infill the space currently containing the garage doors with windows and brick work 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.

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 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

DP37 - Trees, Woodland and Hedgerows

Site Allocation Development Plan Document

The Site Allocation 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 made in January 2016.

Relevant policies:

S4 - Parking Standards for New Developments

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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPN4 - Trees, Woodland and Hedgerows

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) (December 2024)

ASSESSMENT

Design, impact to the character of the area and trees

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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development'.*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.

Extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach'.

With regards to trees, policy DP37 is relevant and states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets'.*

The application site is located within an established residential area of Burgess Hill. Properties are detached, set back from the highway and are on good sized plots. The area is characterised by established trees and hedging along the highway, behind verges, creating a verdant streetscene.

Planning permission is sought for works to the existing garage. It is proposed to remove attached structures to the rear of the garage and convert the remaining garage space to an annexe. The structures to the rear of the property are considered to be of little architectural merit and therefore there is no objection to their removal. To the front of the dwelling the garage doors are to be removed and infilled with brick and windows to match the existing property. It is considered that the use of materials to match would provide a consistent finish. Given the acceptability of the works in relation to the host dwelling it is considered that there would not be an adverse impact on the character of the surrounding area.

It is noted that the conversion of the garage would result in a loss of off road parking spaces for this property. Given the size of the property frontage, it is considered that there would be sufficient space available for parking to be safely accommodated within the property. In addition, planning permission has been recently granted for a detached garage within the property frontage (DM/24/1995).

Within the property there are also a number of trees within the property frontage that are protected by a Tree Preservation Order, as well as a mature oak tree in close proximity to the rear of the garage. Information has been supplied that sets out the impact to these trees as well as mitigation measures. This information has been reviewed by the Tree Officer, who has raised no objection subject to a condition being attached to any consent to ensure that the development is carried out in accordance with these requirements. It is considered necessary and reasonable for a condition of this nature to be attached to ensure that the development accords with the requirements of policy DP37 of the Mid Sussex District Plan.

Impact to neighbouring amenity

In terms of the impact to neighbouring amenity the test, policy DP2 6 of the Mid Sussex District Plan seeks to ensure that new 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 DP27)*'.

In terms of the impact on surrounding properties, no enlargements are proposed as part of this application. As such the development would not result in a loss of light or outlook to neighbouring houses. No windows are proposed that would result in any direct overlooking.

In terms of the proposed use, the annexe would share the main entrance to the house and does not contain a kitchen. It is therefore considered that the proposed annexe would have a dependency on the main house and would not result in a new dwelling being created.

Due to the domestic nature of the proposed works, it is considered that there would not be an adverse impact in terms of noise, air or light pollution.

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 proposal would accord with the requirements of policies DP26 and DP37 of the Mid Sussex District Plan and policy S4 of the Burgess Hill Neighbourhood Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist