

Mr And Mrs Frappell
c/o Mr Andy Parsons
Hampson Architects
The Offices
57 Newtown Road
Brighton And Hove
BN3 7BA

CONTACT: Catherine Cardin
PHONE: 01444 477340
E-MAIL: Catherine.Cardin@midsussex.gov.uk
REF: DM/25/3241
DATE: 1st May 2026

Dear Sir/Madam

Birchwood Birchwood Grove Road Burgess Hill West Sussex
Proposed demolition of existing garage and erection of a ground floor single storey extension

I advise that your application DM/25/3241 was **Granted Permission** on **1st May 2026**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required or has been submitted.

Yours faithfully



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/25/3241

DESCRIPTION: PROPOSED DEMOLITION OF EXISTING GARAGE AND
ERECTION OF A GROUND FLOOR SINGLE STOREY EXTENSION

LOCATION: BIRCHWOOD, BIRCHWOOD GROVE ROAD, BURGESS HILL,
WEST SUSSEX

DECISION DATE: 1 MAY 2026

CASE OFFICER: CATHERINE CARDIN -
CATHERINE.CARDIN@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. Prior to the commencement of any above-ground works, details of the roofing and facing materials of the proposed extensions shall be submitted to and approved in writing by the Local Planning Authority. The development shall hereafter be carried out in accordance with the approved details.

Reason: In order to protect the character and appearance of the Conservation Area, in the interests of visual amenity and to accord with Policies DP26 and DP35 of the Mid Sussex District Plan 2014 - 2031.

4. Prior to the commencement of any above-ground works, detailed drawings of typical examples of new windows and new external doors of the extensions shall be submitted to and approved in writing by the Local Planning Authority. These drawings shall be at an appropriate large scale, including sections, and annotated to show the depth and reveal of glazing bar detail as appropriate. The development shall hereafter be carried out in accordance with the approved details.

Reason: In order to protect the character and appearance of the Conservation Area, in the interests of visual amenity and to accord with Policies DP26 and DP35 of the Mid Sussex District Plan 2014 - 2031.

5. Prior to the commencement of any above-ground works, details of the typical eaves/parapets of the extensions shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the character and appearance of the Conservation area, in the interests of visual amenity and to accord with Policies DP26 and DP35 of the Mid Sussex District Plan 2014 - 2031.

6. New brickwork shall be to match existing adjacent work in colour, texture and bonding pattern and in colour, texture and style of pointing.

Reason: In order to protect the character and appearance of the Conservation Area, in the interests of visual amenity and to accord with Policies DP26 and DP35 of the Mid Sussex District Plan 2014 - 2031.

7. The development hereby approved shall be carried out in accordance with the submitted Tree Protection Plan.

Reason: To ensure that the work is carried out to a satisfactory standard and to accord with policy DP37 of the Mid Sussex District Plan.

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is begun** because it is considered that one of the statutory exemptions or transitional arrangements is considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Informatives

1. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs, Saturdays 0900 - 1300 hrs, No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken. Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue. Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
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Location and Block Plan	HA064-001 P02		09.02.2026
Site Plan	HA064-010-Ex		19.12.2025
Existing Floor Plans	HA064-060		19.12.2025
	Ground		
Existing Floor Plans	HA064-061 First		19.12.2025
Existing Elevations	HA064-074	courtyard	19.12.2025
Proposed Elevations	HA064-204	courtyard	19.12.2025
Proposed Floor Plans	HA064-120		19.12.2025
	Ground		
Proposed Floor Plans	HA064-121 Pro		19.12.2025
	1st Floor		
Proposed Elevations	HA064-201-Prop		19.12.2025
	SW		
Existing Floor Plans	HA064-062-		19.12.2025
	Existing Second		
Existing Elevations	HA064-070 SE		19.12.2025
Existing Elevations	HA064-072- NW		19.12.2025
Existing Elevations	HA064-073-NE		19.12.2025
Sections	HA064-080-Ex A-		19.12.2025
	A Section		
Sections	HA064-081-Ex B-		19.12.2025
	B Section		
Proposed Floor Plans	HA064-122-		19.12.2025
	Proposed 2nd		
	Floor Plan		
Proposed Floor Plans	HA064-123-		19.12.2025
	Proposed 3rd		
	Floor Plan		
Proposed Elevations	HA064-200-		19.12.2025
	Proposed SE		
	Elevation		
Proposed Elevations	HA064-202-		19.12.2025
	Proposed NW		
	Elevation		
Proposed Elevations	HA064-203-		19.12.2025
	Proposed NE		
	Elevation		
Existing Elevations	HA064-071-		19.12.2025
	Existing SW		
	Elevation		
Existing Roof Plan	HA064-063		02.02.2026
Proposed Roof Plan	HA064-123		02.02.2026



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

PEHOUZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.uk.

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

Development which is subject to a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within a curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application to change the number of dwellings in a building.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.