

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0661	Case Officer:	Stuart Malcolm
Application Type:	Householder Application		
Proposal:	Demolish existing garage and build new enlarged timber framed garage.		
Site:	45 Junction Road, Burgess Hill, West Sussex, RH15 0JB, , , ,		
Validation Date	14 Mar 2025	Overall Expiry Date:	14 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Apr 2025
Target Date:	9 May 2025	Recommending Officer Signature:	<i>Stuart Malcolm</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	9 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0661

**45 Junction Road, Burgess Hill, West Sussex, RH15 0JB, , ,
Demolish existing garage and build new enlarged timber framed garage.
Mr Richard Hawkins**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

Network Rail: No objections

NatureSpace (Newts): Not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats.

TOWN COUNCIL OBSERVATIONS

Recommend approval.

INTRODUCTION

This application (DM/25/0661) seeks planning permission to demolish the existing garage and build a new enlarged timber framed garage at 45 Junction Road, Burgess Hill.

RELEVANT PLANNING HISTORY

02/00446/FUL - Replacement garage - Permission - March 2002

SITE AND SURROUNDINGS

The application site is a two storey detached dwelling located in a residential setting made up of a broad range of property types and styles. The site is in close proximity to the town centre of Burgess Hill. There is an existing single garage and hardstanding to the front of the house at present. A dwarf wall and hedgerow runs along the front boundary with the highway.

The nearest neighbours are at no.47 Junction Road to the north and 32 Cleveland Gardens to the south, with these being the most likely to be affected by the proposals.

In policy terms the site is within the built up area of Burgess Hill.

APPLICATION DETAILS

The existing single garage will be removed and the new garage, in broadly the same location albeit with a bigger footprint and closer to the front boundary, will measure 2.5 m to the eaves and 3.6 m to the apex of the pitched roof.

In terms of external appearance, the applicant has stated they will use the following:

- new light grey cement board cladding (colour to match existing house);
- roof tiles terracotta effect; and
- anthracite grey bifolding garage doors with integral blinds and anthracite grey aluminium windows

The applicant intends to remove an existing hedge along the front boundary - with this in itself not requiring planning permission. An existing dwarf wall will be retained with some additional/replacement planting and a new fence proposed inside the wall next to the new garage.

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, the Site Allocations Development Plan Document and the 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 in 2018. The most relevant policy is:

DP26 - Character and Design

Site Allocations DPD

The SADPD 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 Neighbourhood Plan is made so forms part of the development plan. There are no directly relevant policies to this type of development in this location.

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.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework is a material consideration. 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:

- Design and character;
- Impact on neighbouring residential amenity; and

- Biodiversity net gain.

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.'*

In design terms, the loss of the existing hedgerow along the front boundary is regrettable although its removal does not require formal planning consent. The applicant has stated that the dwarf wall will be retained along the boundary with the highway. Behind this, the applicant has provided an illustrative plan which shows additional landscaping including planting and a new fence. The final details of this new hard and soft landscaping will be reserved by condition.

The removal of the hedgerow will open up the front of the site to be more visible from the public realm and as such the new, larger garage will be more prominent than the existing building. Other than the existing garage on site, there are limited examples of comparable buildings in the front gardens of properties along this part of Junction Road. However, the street scene along this part of the road is highly varied with a mixture of property types, styles, sizes etc. Replacing an existing detached building with a larger garage will not, in this location, therefore be so unusual as to be incongruous or detrimental to the character of the street. This ensures compliance with the design requirements of Policy DP26.

In residential amenity terms, the test of development here is whether or not it causes 'significant harm' to neighbouring amenity as per Policy DP26. Whilst residents of the neighbouring properties will be able to see the new garage building, it will not be overbearing or result in a loss of privacy or outlook. It can be concluded therefore that the proposal will not cause significant harm to neighbouring residential amenity ensuring compliance with Policy DP26.

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.

CONCLUSION

In conclusion, the proposal is acceptable in respect of its design and the subsequent impact on the character of the surrounding area whilst significant harm will not occur to neighbouring residential amenity. As such the proposal accords with the requirements of Policy DP26 of the Mid Sussex District Plan and the NPPF.

The application therefore accords with the development plan and there are no material planning considerations which indicate an alternative conclusion should be reached.

Planning permission should therefore be granted.

Decision: Permission

Case Officer: Stuart Malcolm