

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0843	Case Officer:	Joseph Swift
Application Type:	Prior Approval Demolition of Buildings		
Proposal:	Demolition of of barn		
Site:	Site Of Lowlands Farm, Freeks Lane, Burgess Hill, West Sussex, , , ,		
Validation Date	27 Mar 2025	Overall Expiry Date:	
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval Is Not Required	Recommendation Date:	22 Apr 2025
Target Date:	24 Apr 2025	Recommending Officer Signature:	Joseph Swift

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	22 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0843

**Site Of Lowlands Farm, Freeks Lane, Burgess Hill, West Sussex, , ,
Demolition of of barn
Ms Fern Whiles**

SUMMARY OF REPRESENTATIONS

No third-party letters of representation have been received.

PARISH COUNCIL OBSERVATIONS

No comments received.

INTRODUCTION

This prior notification application is submitted to ascertain whether the Council's prior approval is required with regards to the demolition of a Barn at Lowlands Farm, Freeks Lane, Burgess Hill.

RELEVANT PLANNING HISTORY

DM/18/5114: Comprehensive, phased, mixed-use development comprising approximately 3,040 dwellings including 60 units of extra care accommodation (Use Class C3) and 13 permanent gypsy and traveller pitches, including a Centre for Community Sport with ancillary facilities (Use Class D2), three local centres (comprising Use Classes A1-A5 and B1, and stand-alone community facilities within Use Class D1), healthcare facilities (Use Class D1), and employment development comprising a 4 hectare dedicated business park (Use Classes B1 and B2), two primary school campuses and a secondary school campus (Use Class D1), public open space, recreation areas, play areas, associated infrastructure including pedestrian and cycle routes, means of access, roads, car parking, bridges, landscaping, surface water attenuation, recycling centre and waste collection infrastructure with associated demolition of existing buildings and structures, earthworks, temporary and permanent utility infrastructure and associated works. Permission

DM/21/3279: Planning Application under Section 73 of the Town and Country Planning Act 1990 (as amended) seeking alterations to conditions 5 (approved parameter plans), 6 (accordance with Design Guide) , 7 (requirement for a Design Principles Statement), 11 (archaeological investigation), 22 (sustainable drainage) and 35 (restriction of development within 15m of ancient woodland), removal of conditions 50 (public transport strategy) and 51 (phase public transport strategy), addition of new conditions relating to public art on planning permission DM/18/5114, to allow amendments to site boundary, densities and heights, parameters of road layout, proposed land uses, right of way improvements & drainage outfalls, require general accordance with the Street Design and Adoption Manual, allow phased submission of details for archaeology and drainage details and require a public transport strategy and financial contributions towards the public transport strategy to be secured in the legal agreement. Amendments to the legal agreement associated with the amendments to the conditions and additional amendments related to the delivery of open space parcels OS1.2N, OS1.2S, OS3.3 and OS3.4, the Centre for Outdoor Sports, Employment Strategy, the Secondary School, Mobility Corridors, payment of financial contributions and monitoring fees (Amendments received, including an addendum to the Environmental Statement). Permission

DM/21/3870: Reserved Matters Application pursuant to outline application DM/18/5114, to consider access, appearance, landscaping, layout and scale for the erection of 247 dwellings, alterations to Lowlands Farm and its conversion to form 2 dwellings, associated car parking, open space and infrastructure, including an extension to Bedelands Nature Reserve and provision of the Green Circle (pedestrian/cycle/equestrian route) and pedestrian/cycle route for Sub-Phases P1.3, P1.5, P1.6, OS1.5,

OS1.6 and part of OS1.1a, OS1.1b and OS1.2N to the east of Isaacs Lane and Lowlands Farm at the Northern Arc development on land north and north-west of Burgess Hill (Amended description following the receipt of amendments). Permission

SITE AND ITS SURROUNDINGS

Lowlands Farm Barn is located within the built up area boundaries of Burgess Hill and forms part of the wider Brookleigh Development to the north of Burgess Hill. The site is located to the east of Freeks Lane, a public right of way and forms part of the development parcel P1.3 that has been approved for residential development.

Permission was granted for the conversion of this building into two dwellings, however, it has suffered extensive fire damage, with only the northern wall and a lower plinth wall of the building remaining, the roof has been completely destroyed together with the internal timber frame.

APPLICATION DETAILS

The proposal seeks to demolish the Barn at Lowlands Farm as the fire damage is such that it is no longer capable of conversion and is a potential health and safety risk. The prior approval from the Council is sought beforehand under a 28-day prior notification procedure.

The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 11, Class B (as amended) states that any building operation consisting of the demolition of a building is permitted development. The demolition of buildings is therefore permitted subject to a number of criteria set out in this part of the GPDO. The applicant needs to apply to the Council to determine whether prior approval is required for the method of demolition and any proposed restoration of the site.

The Local Planning Authority has 28 days from the receipt of the application to advise that either prior approval is not required or advise that prior approval is required and such approval is granted or refused.

Unless otherwise agreed in writing the development must be carried out where prior approval is required, in accordance with the details approved or where prior approval is not required, in accordance with the details submitted with the application.

The planning merits of the proposal cannot be taken into account and the Council can only determine whether their prior approval is required for the proposed method of demolition and proposed restoration of the site.

ASSESSMENT

In determining an application for prior approval, the only issues that are relevant to the determination of the application are whether the proposal complies with the criteria set out in the GPDO and whether the details contained within the application are acceptable.

It is considered that the application for prior approval meets with permitted development criteria as set out under Class B.1 of Part 11 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In accordance with Class B.2 (b) (ii), a written description of the proposed development has been provided with the application, together with a site notice statement that a site notice has been posted on the land from the 27.03.2025.

Due to the extensive fire damage there is very limited extend of the building that remains, the site itself has been fenced off and as such it is not considered necessary to require Prior Approval for the method of demolition. The site will be redeveloped, subject to a subsequent application.

As such, sufficient information has been provided on how the site will be left following the demolition.

The proposed works are expected to commence on 21st April 2025.

The nearest occupied residential dwelling to the building to be demolished is some 160 metres to the south, with the site to the west and the surrounding site being part of a wider construction site currently being developed.

CONCLUSION

To summarise, the proposed demolition is permitted development. It is considered that the application has met the relevant provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 11, Class B for the Council to determine this application. It is considered that prior approval is not required.

Decision: Prior Approval Is Not Required

Case Officer: Joseph Swift