

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0942	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	To extend the current boundary of the property up to footpath on Wisden Avenue and to erect 1.8 close boarded fence. The erections of a first floor side extension.		
Site:	12 Fry Crescent, Burgess Hill, West Sussex, RH15 8TP, , , ,		
Validation Date	15 Apr 2026	Overall Expiry Date:	8 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Jun 2026
Target Date:	10 Jun 2026	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	10 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0942

12 Fry Crescent, Burgess Hill, West Sussex, RH15 8TP, , ,
To extend the current boundary of the property up to footpath on Wisden Avenue and to erect 1.8
close boarded fence. The erections of a first floor side extension.
Mr Christian Lentner

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

None

TOWN/PARISH COUNCIL OBSERVATIONS

Burgess Hill Town Council would Recommend Refusal due to concerns about the position of the fence for the following reasons:

Mid Sussex District Plan:

DP26 - Character and Design - due to the impact on the street scene if this incongruous fence were to come into effect. Effect on the design and feel of the area.

Mid Sussex Design Guide:

DG25 - Enhance the environment and sense of place through open spaces
- due to the harm to the environment and the loss of an informal green space.

Also concerns about access to potential public infrastructure under the site such as gas mains.

The Committee requests that the Highways Authority be consulted to determine whether there may be highway rights associated with the green verge that forms part of the application site.

INTRODUCTION

The application seeks planning permission to extend the current boundary of the property up to the footpath on Wisden Avenue and to erect a 1.8 metre close boarded fence. The application also proposes the erection of a first floor side extension.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

12 Fry Crescent is a west facing, detached dwelling that is sited at the end of Fry Crescent, a cul-de-sac off of Wisden Avenue. The dwelling has a pitched roof and is constructed of red brick walls, concrete roof tiles and uPVC windows. A rear garden is located to the east of the dwelling, with its boundary fronting Wisden Avenue. To the front of the property is a drive and front garden and access on the southern side to the rear garden. There is a single storey pitched roof integral garage on the southern elevation of the dwelling

The site is located within the built up area of Burgess Hill, in an area that is characterised by detached dwellings of similar design and materials. To the north and east of the site is the public highway, whilst to the south and west are neighbouring dwellings.

APPLICATION DETAILS

The application seeks planning permission to extend the current boundary of the property up to the footpath on Wisden Avenue and to erect a 1.8 metre high, close boarded fence along the rear boundary. This will incorporate the verge at the rear of the property into the rear garden.

The erection of a first floor side extension above the garage is also proposed. External materials proposed will match the existing dwelling.

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 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 at Full Council on 28th March 2018.

Relevant policies:

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 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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

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

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 properties
- Biodiversity Net Gain

- Other matters (to address green space comment from parish council)

Design and Character

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.'*

Principle DG49 of the Mid Sussex Design Guide states: *'Extensions should typically use simple, uncomplicated building forms to compliment 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.'*

Principle DG50 of the Mid Sussex Design Guide SPD relates to front and side extensions and with regards to side extensions, states the following: *'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building. The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'*

The proposal comprises a first-floor side extension above the existing single-storey side element/garage. There will be a modest rear projection at first floor level. New first-floor windows will be added on the front, side and rear elevations. Materials proposed will match those of the existing dwelling. The proposed extension is of a similar scale and design to the extension approved at No. 14 Fry Crescent (ref:01/02439/FUL). Internally, this will create an extra bedroom and therapy room. The design of the extension will match the existing dwelling and will match other properties in the vicinity who have built similar extensions.

Currently the rear boundary is demarcated by a combination of a brick wall and close board fence. The proposal will extend the rear boundary to incorporate the green verge and will match the fence boundary line at no. 14 Fry Crescent. A 1.8 metre high close board fence is proposed.

Along this boundary, a variety of materials are used including close board fencing hedges and brick walls. It is therefore considered that the close-boarded fence will not be out of character or detract from the streetscene.

The application is therefore considered acceptable in terms of design, form and scale and complies with policy DP26 of the Mid Sussex District Plan and principles DG49 and DG50 of the Mid Sussex Design Guide.

Impact on neighbouring properties

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 Policy DP29);'

The first floor side extension will reduce the size of the gap at first floor level between No. 12 Fry Crescent and the neighbour at No.10 Fry Crescent. The impact of this will be limited given that this is an extension at first floor level only which will not extend beyond the existing side elevation. The addition of the window on the side elevation will have a limited overlooking impact due to the fact it will be obscure glazed and will only be opening 1.7m above floor level. The new windows to the rear and front elevation are not considered to have any impacts in terms of privacy or outlook of the neighbours.

The extension of the rear boundary and erection of a fence along it, are not considered to have an impact on the neighbouring amenities. There will be a small loss of grass verge, however the new boundary will extend to the same depth as the boundary at no. 14.

Therefore, in terms of neighbouring amenities, the proposal is considered to comply with DP26 of the Mid Sussex District Plan.

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.

Other Matters

The Burgess Hill Town council raised the following matters in their response to the application. They felt that the proposal did not comply with policy DP26 of the MSDC district plan. Concerns were also raised access to potential public infrastructure under the site such as gas mains. A request was also made that the Highways Authority be consulted to determine whether there may be highway rights associated with the green verge that forms part of the application site.

During a site visit, it was noted that there are a variety of boundary treatments along this set of rear gardens backing onto Wisden Avenue and they include brick walls, close-boarded fencing of different heights and hedging. The proposal for a close-boarded fence along the boundary, would therefore not be considered incongruous in this street scene.

The grass verge to be enclosed is limited in scale, measuring approximately 2.2 metres by 11 metres, and is not considered to make a significant contribution to the character of the area. Whilst principle DG25 seeks to enhance the environment through open spaces, the small scale of the enclosed verge and the existing varied boundary treatments mean the proposal would not materially harm the character or openness of the area. It is therefore not considered a reason to refuse the application.

The enclosed verge does not form part of the adopted highway, therefore the Highways Authority was not consulted for this application. Matters relating to the presence of utility apparatus and rights of access are controlled under separate legislation and are not, in themselves, material planning considerations.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is considered to be acceptable in terms of design, scale and form and would not cause significant harm to the amenities of neighbouring properties. The proposed enclosure of the verge would not result in unacceptable harm to the character or appearance of the street

scene. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Tracie Axford