

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0974	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition nos. 2 and 3 of planning application DM/25/1954 - to allow for design changes.		
Site:	60 Cants Lane, Burgess Hill, West Sussex, RH15 0LS, , , ,		
Validation Date	20 Apr 2026	Overall Expiry Date:	18 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 Jun 2026
Target Date:	15 Jun 2026	Recommending Officer Signature:	Anna Tidey

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

MID SUSSEX DISTRICT COUNCIL

DM/26/0974

**60 Cants Lane, Burgess Hill, West Sussex, RH15 0LS, , ,
Variation of condition nos. 2 and 3 of planning application DM/25/1954 - to allow for design changes.**

Louisa Worby

SUMMARY OF REPRESENTATIONS

None received.

CONSULTATIONS

Naturespace Newt Officer: The amendments to the scheme are not likely to impact on Great Crested Newts or their habitats. No comments.

TOWN COUNCIL OBSERVATIONS

Burgess Hill Town Council: Recommend Approval.

INTRODUCTION

This application seeks planning permission to amend conditions 2 and 3 of planning application DM/25/1954 - to allow for amendments to the design of the approved porch addition at a mid terraced house at 60 Cants Lane in Burgess Hill. The external development works are nearly complete.

RELEVANT PLANNING HISTORY

DM/25/1954. Proposed single storey front extension. Approved September 2025.

SITE AND SURROUNDINGS

No 60 Cants Lane is a mid terraced house located on the southern side of Cants Lane opposite the junction with The Kiln. The frontage of the property has white painted brickwork and first floor tile hanging. The house benefits from off road parking with a dropped kerb access.

The property is located in the Red Zone for Great Crested Newts and is sited within the Built up Area boundary of Burgess Hill.

APPLICATION DETAILS

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Conditions 2 and 3 of planning application DM/25/1954, which read as follows:

'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. The materials and finishes of the new porch addition hereby permitted shall accord with the details on the Proposed Plans and Elevations, Drawing No A02, Rev P1.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.'

Planning permission was granted under application DM/25/1954 for the extension of the house by the addition of a front porch, which has been substantially completed, and replaced a former door canopy over the front door.

The submitted application form for the approved planning application under reference DM/25/1954 indicated that the proposed walls for the porch would be constructed in brick to match the existing house, and the approved plans were annotated to show the door in the front elevation and a small high level side window facing west.

The porch, as constructed, measures 1.63m wide by 2.2m deep and has a hipped roof. The porch has been constructed with solid north and east facing walls, finished in a timber effect wall cladding with tiles to match those on the main roof of the house. The front door is located in the west elevation. An image of the proposed glazed door has been provided. This is to be installed in the west facing side wall of the addition to face towards the driveway of No 60. porch extends between the front living room window and is attached to the mutual wall with the next door house at No 62 Cants Lane.

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 Burgess Hill Neighbourhood Plan and Site Allocations DPD.

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

DP38 Biodiversity

Site Allocations Development Plan Document

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.

Neighbourhood Plan

Burgess Hill Neighbourhood Plan -made January 2016.

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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPN1 - Biodiversity, Geodiversity and Nature Recovery

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

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The result of this application would be to issue a new planning permission. In accordance with the above legislation it is not necessary to go through all of the issues associated with the previous application, only those relevant to the changes that are now proposed. The specific changes to the plans that are now proposed are considered below with regards to the design.

Design

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages as well as addressing the character and scale of the surrounding buildings and landscape.

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling and applicant will be expected to demonstrate how local character has informed the design proposal.

Design Guide Principle DG50 refers to Front and Side extensions and states that they will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling. With regards to side extensions the guidance states that they 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. Side extensions will 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 principle of the porch addition was found acceptable under planning application DM/25/1954. The porch represents a modest addition on the front elevation of this terraced house. There are several similar scaled porch additions on terraced houses located along this part of Cants Lane, and it is in keeping in the street scene.

The proposed amendment to the design and external wall finish represents a minor alteration to the porch that was approved under the original consent. The timber effect cladding will not appear out of keeping in this urban setting and will not harmfully impact upon the overall character of the residential area.

Consequently the design and appearance of the porch addition are considered to accord with Policy DP26 and with the relevant Design Guide principles.

Impact on residential amenities

Policy DP26 of the District Plan requires developments to demonstrate that it does not cause significant harm to amenities of existing nearby residents (or future occupiers), taking into account matters such as impact on light, privacy and outlook.

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The dwelling at No 60 is located in a mid terrace position and the neighbouring properties are located at No 62 to the east and No 58 to the west.

The porch addition connects to the party wall at No 62. The application has been accompanied a Certificate B and the appropriate notification upon the residents at that house with the service of a Notice 1.

It is considered that the siting, scale and position of the proposed porch addition is acceptable in terms of the neighbouring amenities and will not cause significant harm to the privacy, outlook, daylight and sunlight of the immediate residents. The proposal accords with the requirements of Policy DP26 of the District Plan and the relevant principles of the Design Guide.

Biodiversity

The site falls within a Red Impact Risk Zone for Great Crested Newts, and as such the Newt Officer has been consulted on the proposal. She has raised no objection to the proposed development.

The relevant District Plan Policy with regards to biodiversity and its protection is DP38. Whilst allowing for development this seeks to protect and enhance Biodiversity.

Given the consultee response the development will accord with the aims of District Plan Policy DP38.

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

The proposed altered design and wall finish for the porch extension will not appear out of keeping with the character and appearance of the property within the street scene and this part of Cants Lane.

The design and appearance of the porch addition are considered to accord with District Plan Policy DP26 and with the relevant Design Guide principles.

It is considered that the porch will not cause significant harm to the neighbouring amenities. The proposal accords with the aims of District Plan Policy DP26 and the relevant principles of the Design Guide.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey