

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1088	Case Officer:	Hamish Evans
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition 2 of planning application DM/23/1347 (as amended by NMA DM/25/1087) - to permit a material amendment to the garage doors.		
Site:	17 Franklands Way, Burgess Hill, West Sussex, RH15 0AX, , , ,		
Validation Date	14 May 2025	Overall Expiry Date:	5 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Jul 2025
Target Date:	9 Jul 2025	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	2 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1088

**17 Franklands Way, Burgess Hill, West Sussex, RH15 0AX, , ,
Variation of condition 2 of planning application DM/23/1347 (as amended by NMA DM/25/1087) - to
permit a material amendment to the garage doors.
A Newman**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received in response to this application.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

Burgess Hill Town Council

Recommend approval

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary condition 2 of planning permission DM/23/1347 which was granted on the 11th September 2023 for a "Single storey rear and flank extensions, internal alterations, associated landscaping, closing of existing highways access, replacement highways access and double garage." at 17 Franklands Way Burgess Hill RH15 0AX.

RELEVANT PLANNING HISTORY

DM/23/1347. Single storey rear and flank extensions, internal alterations, associated landscaping, closing of existing highways access, replacement highways access and double garage. (Amended plans and description 09.08.2023). Permission.

DM/25/1087. Non Material Amendment to application DM/23/1347 - Amendment of description to read - Single storey rear and flank extensions, internal alterations, associated landscaping, closing of existing highway access, replacement highways access and double garage. Permission.

SITE AND SURROUNDINGS

The site is designated as being within the Burgess Hill built up area boundary. The existing property is a single storey semi-detached dwelling which is characterised by bare brown brickwork, render and timber clad walls, brown clay roof tiles and white uPVC window and door frames. There are some three off-street parking spaces to the front of the property and one off-street parking space within the existing integral garage. The surrounding area consists predominantly of residential dwellings which are varied in their design and scale and are characterised by a variety of external materials. There are a variety of extensions within the locality. Franklands Way is located to the south of the site, Oakhall Park is located to the east of the site, residential properties are located to the west of the site and a trainline is located to the north of the site.

APPLICATION DETAILS

The application seeks to amend the plans approved under planning permission DM/23/1347 which was granted on the 11th September 2023 for a "Single storey rear and flank extensions, internal alterations, associated landscaping, closing of existing highways access, replacement highways access and double garage." at 17 Franklands Way, Burgess Hill.

The proposed changes consist of replacing the previously permitted two garage doors with one garage door and omitting a previously permitted door to the side elevation of the 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 Mid Sussex Site Allocations 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.

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 adopted January 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) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the policies in the draft District Plan. 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.

DPB1: Character and Design

Mid Sussex Design Guide Supplementary Planning Document

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)

Planning Practice Guidance

ASSESSMENT

The application is submitted under Section 73 of the Town and Country Planning Act 1990. 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 principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed amendments consist of replacing the previously approved two garage doors with one garage door and omitting a previously permitted door to the side elevation of the garage.

Character and Design

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.'*

A similar ethos is contained within the Mid Sussex Design Guide SPD.

The proposed garage door will be similar in appearance to the previously permitted garage doors and the omission of the permitted side door is not considered to impact the appearance of the permitted garage. Taking into account the above, the proposal is considered to be acceptable from a design

perspective and will not have a detrimental impact on the character and appearance of the area. Therefore the proposal complies with policies DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

CONCLUSION

In conclusion the proposed alterations are considered to be acceptable from a design perspective and will not have a detrimental impact on the character and appearance of the area. Therefore the proposal complies with policies DP26 of the Mid Sussex District Plan, the Burgess Hill Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Hamish Evans