

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0705	Case Officer:	Hamish Evans
Application Type:	Householder Application		
Proposal:	Installation of hard standing to the rear of the garden.		
Site:	10 The Spinney, Burgess Hill, West Sussex, RH15 8AG, , , ,		
Validation Date	21 Mar 2025	Overall Expiry Date:	18 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Jun 2025
Target Date:	16 May 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:	3 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0705

**10 The Spinney, Burgess Hill, West Sussex, RH15 8AG, , ,
Installation of hard standing to the rear of the garden.
Mr Billy Wheatley**

SUMMARY OF REPRESENTATIONS

No third-party representation letters have been received.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

Burgess Hill Town Council

Recommend refusal due to loss of amenities and impact on street scene.

INTRODUCTION

The application seeks planning permission of the installation of hardstanding to the rear of 10 The Spinney Burgess Hill RH15 8AG.

RELEVANT PLANNING HISTORY

None relevant.

SITE AND SURROUNDINGS

The site is located within the Burgess Hill built up area boundary and it consists of a two-storey end of terrace dwelling. The existing dwelling is characterised by orange render and bare brickwork walls, brown concrete roof tiles and white uPVC window and door frames. The site includes a garden area to the front and rear of the dwelling and the rear boundary treatment consists of 1.8 metre high closed board fencing. There are no off-street parking spaces at the dwelling.

Residential properties are located to the north and south of the site, an area of public open space to the east of the site and a private road and garage complex to the west of the site. The residential dwellings within the surrounding area of a similar scale, design and appearance to the application dwelling.

APPLICATION DETAILS

The application seeks planning permission of the installation of hardstanding to the rear of 10 The Spinney Burgess Hill RH15 8AG.

The proposed hardstanding would be located within the existing rear garden to the west of the dwelling and would be used for off-street parking. It would be characterised by Type 1 MOT hardstanding. The proposed would also involve the removal of the existing 1.8 metre high closed board fencing along the rear boundary of the site and install it some 5.0 metres into the existing rear garden. This would include an access gate and will be finished in wood preserve. The proposed off-street parking space would lead to the existing private road and garage complex to the rear west of the site.

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 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:

DP21 - Transport

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

Relevant policies:

S4 - Parking standards for new developments

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.

Relevant policies:

DPB1: Character and Design

DPT4: Parking and Electric Vehicle Charging Infrastructure

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.

ASSESSMENT

Character and Appearance

Policy DP26 of the Mid Sussex District Plan in part 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 hardstanding would be characterised by similar materials as used within the surrounding area and the proposed replacement boundary treatment would be similar in appearance to the existing closed board fencing. Details of the proposed external materials can be secured by a suitably worded condition.

Similar hardstanding and boundary treatment can be found within the surrounding area. The area to the rear of the site consists of a private road and garage complex and the proposed off-street parking would retain this existing character. The created driveway will be a modest part of the rear garden and therefore it will not reduce the garden amenity space to a degree which would be harmful to the character of the area. As such the proposal is considered the proposal would not have a detrimental impact on the character and appearance of the area and the proposal would comply with policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

The comments of the Town Council are noted however, given the character of the area and the garage block to the rear of the site the proposal is considered to have an acceptable impact on the street scene.

Transport

Policy DP21 of the Mid Sussex District Plan in part states:

"The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;"

Policy S4 of the Burgess Hill Neighbourhood Plan and the West Sussex County Council Parking Guidance for New Developments require two off-street parking spaces be provided for a dwelling of this size.

The West Sussex County Council September 2020 Parking Guidance outlines that for a development of this size in this location 2.2 parking spaces should be provided. There are no existing off-street parking spaces at the site and the proposal would create an off-street parking space at the site. Whilst the resulting parking arrangement would still be below the WSCC guidance and policy S4 it is considered to be an improvement on the existing arrangement. Taking into account the above the application is considered to comply with policy DP21 of the Mid Sussex District Plan, policy S4 of the Burgess Hill Neighbourhood Plan and the West Sussex County Council September 2020 Parking Guidance.

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);"

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

The scale of the proposal is modest in its nature and it would be adjacent to an existing garage complex. The proposal would result in additional vehicular movements adjacent to the neighbouring properties private amenity spaces however given the small scale nature of the proposal and the adjacent existing garage complex the proposal is not considered to cause significant harm to the amenities of nearby residents, specifically in regard to noise pollution and disturbance. It should also be noted that the northern and southern boundary treatment is to be retained. The created driveway will be a modest part of the rear garden and therefore it will not reduce the garden amenity space to a degree which would be harmful to the amenity of the existing dwelling. As such, it is considered that the proposal would not cause significant harm to the amenities of nearby residents. The proposal is therefore, considered to comply with the above-mentioned part of policy DP26 and the Mid Sussex Design Guide SPD.

The comments of the Town Council are noted however, it is considered that the proposal will not reduce the garden amenity space to a degree which would be harmful to the amenity of the existing dwelling.

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

In conclusion, the proposal is considered to address the character and scale of the existing and surrounding buildings and landscape and it would also not cause significant harm to the amenities of nearby residents. The resulting parking arrangement is considered acceptable. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the proposal complies with policies DP21 and DP26 of the Mid Sussex District Plan, the principles of the MSDC Design Guide SPD, policy S4 of the Burgess Hill Neighbourhood Plan, the West Sussex County Council: Guidance on Parking at New Developments and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Hamish Evans