

BROOKWORTH

HOMES

Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

23 October 2025

9 RIDDIFORD DRIVE, BURGESS HILL, WEST SUSSEX, RH15 8RJ
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Dear Sir/Madam,

Please find attached, details to support a planning application for a change of use to residential garden land at the above mentioned address. In addition to this covering letter, the application is formed of the following documents:

- A completed application form
- Site location plan – PL-01
- Site layout plan – PL-02
- Fence elevations – BWH208-PL-100 Rev P1

The planning application fee has also been paid via the Planning Portal.

SITE DESCRIPTION

The site comprises a Flat Over Garage (FOG) located within the Fairways development on the western side of Cuckfield Road. The application concerns a piece of land (now fenced) immediately to the south of the FOG and which includes a large Cedar tree.

PLANNING HISTORY

There is no planning history for the site itself. The following permissions relate to the development of the wider site.

Reference	Description of development	Decision
DM/22/0261	Discharge of planning condition no's : 16, 20 and 21 relating to planning application DM/21/1524	Approved on 26 April 2022
DM/21/1524	Full application for the erection of 35 residential dwellings with new access created onto Cuckfield Road, landscaping, open space and parking	Granted on 17 December 2021
DM/19/3123	Demolition of existing dwelling and erection of 40 new dwellings with new access created onto Cuckfield Road. Amended plans received 2 October showing changes to the elevations of the proposed dwellings and removal of garages to	Granted on 23 March 2020

BROOKWORTH

HOMES

	the northwest corner of the site. Amended plans received 31 October showing revised elevations to plots 15 to 26	
DM/19/0164	30 dwellings on Land at Bridge Hall.	Withdrawn
DM/17/3034	Application for outline planning permission for 30 dwellings on land at Bridge Hall. 9 of the dwellings will be for affordable purposes. All matters reserved except for access.	Withdrawn
DM/15/4667	Outline application for 36 dwellings on land at Bridge Hall (Amended plans received 21.06.16 showing increase from 30 to 36 dwellings).	Non-determination appeal allowed on 25 October 2017

PROPOSED DEVELOPMENT

Planning permission is sought for the retrospective change of use of the land to private amenity space and the retrospective erection of a 1.8m high close board fence.

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that development be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 ('TCPA 1990') provides that the decision-maker shall have regard to the provisions of the development plan, so far as material to the application.

For Mid-Sussex District Council, the Development Plan comprises the District Plan (2018).

As confirmed by the Policies Map, the site lies within a built-up area and an Area of Special Control of Adverts.

ASSESSMENT

Principle of development

Policy DP6 in the District Plan directs development towards towns and villages with defined built-up area boundaries. It goes on to state that "infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design) and not cause harm to the character and function of the settlement.

The site lies within the built-up area as defined in the District Plan, because the built-up area boundary has been drawn to include the land proposed for strategic development to the north and west of Burgess Hill, commonly referred to as the Northern Arc. Provided that the proposal complies with DP26 as referenced above, the principle of development is acceptable in this regard.

BROOKWORTH

HOMES

Impact on character and appearance

District Plan Policy DP26 requires all development to be well designed. Principle DG44 of the Mid Sussex Design Guide (2020) also highlights the importance of the careful selection of facing materials in order to blend into the surroundings and/or complement existing adjacent buildings.

The parcel of land was not specified as communal garden for any of dwellings, nor was it allocated as play space under permission DM/21/1524. Considering the residential nature of the surrounding development, the change of use to private amenity space is entirely in keeping and does not result in any harm to the appearance of the area. Although now enclosed within the garden, the size of the Cedar tree is such that it can still be viewed from around the development site and offers the same amenity value.

The proposed close board fence matches those which exist elsewhere across the development, and which were approved as part of the discharge of planning condition 16 (details of screen walls/fences and/or hedges) of the DM/21/1524 consent (permission DM/22/0261). As such, the proposal complies with District Plan (2018) Policy DP26.

Impact on neighbouring amenity

District Plan Policy DP26 seeks to ensure that new 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.

There is no legal right to a view and while the presence of the fence and the residential paraphernalia which may result in the use of the land as private amenity space, may have changed the outlook from the neighbouring properties to the west, it has not been harmed to an extent which would warrant a refusal. The proposal therefore complies with Policy DP26 of the District Plan (2018).

Ecology

On 12 February 2024, Schedule 14 of the Environment Act (2021) came into force, making Biodiversity Net Gain (BNG) a condition of planning permission, unless an exemption/exclusion applies.

Paragraph 20 of Schedule 7A details exclusions to this requirement and includes planning permission which has been granted under section 73A of the Act. For clarity, Section 73A provides for retrospective planning applications made in respect of old development which has been carried. As this is a retrospective planning application, the development is excluded from BNG.

SUMMARY

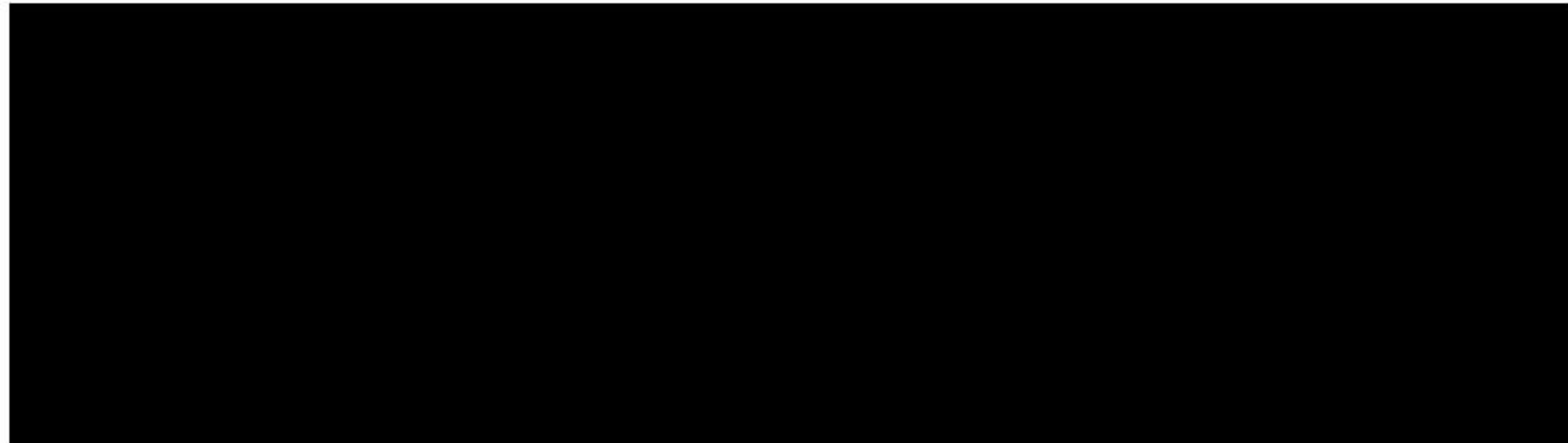
The principle of the development is compliant with policy and does not harm the character and appearance of the area or the neighbouring amenity. As such, the proposal complies with the Development Plan.

BROOKWORTH

H O M E S

I trust that the information provided above and on the enclosed information is sufficient for the Council to register and consider this application. Should you require any clarification or additional information, please do not hesitate to contact me.

Yours faithfully



Natalie Rowland MRTPI
Senior Planning Manager

