

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1273	Case Officer:	Hamish Evans
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of conditions 4 and 10 relating to Planning Application DM/17/2946 - to extend the operating hours to Monday - Sunday 07:00 to 19:30 including bank and public holidays.		
Site:	Courtlands, Snow Hill, Crawley Down, Crawley, West Sussex, RH10 3DZ, ,		
Validation Date	26 May 2026	Overall Expiry Date:	16 Jun 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Aug 2026
Target Date:	25 Aug 2026	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:	10 Aug 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1273

**Courtlands, Snow Hill, Crawley Down, Crawley, West Sussex, RH10 3DZ,
Variation of conditions 4 and 10 relating to Planning Application DM/17/2946 - to extend the
operating hours to Monday - Sunday 07:00 to 19:30 including bank and public holidays.
Police And Crime Commissioner For Sussex**

SUMMARY OF REPRESENTATIONS

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

SUMMARY OF CONSULTEES

MSDC Environmental Protection team

No objection.

PARISH COUNCIL OBSERVATIONS

Worth Parish Council

Supports the application.

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary conditions 4 and 10 of planning permission DM/17/2946 which was granted on the 1st December 2017 for a "Two-storey rear extension to the existing building: landscaping and reconfiguration of the parking area." at Courtlands Snow Hill Crawley Down RH10 3DZ.

RELEVANT PLANNING HISTORY

DM/17/2946. Two-storey rear extension to the existing building: landscaping and reconfiguration of the parking area. Permission.

SITE AND SURROUNDINGS

The application site is located within the countryside with the built up area boundary of Copthorne some 835 metres to the west of the site.

The site of the application is the former Courtlands Service Station which is located on the southern side of Snow Hill, to the east of the Dukes Head roundabout. The site is set back some 110m from the highway and occupies a broadly rectangular parcel of land. The existing building is positioned towards the northeast of the site and comprises a part brick, part metal clad pitched roof commercial building. There is hard standing for car parking to the south, west and north of the site.

APPLICATION DETAILS

The application seeks to amend the permitted hours of operation approved under planning permission DM/17/2946 which was granted on the 1st December 2017 for a "Two-storey rear extension to the existing building: landscaping and reconfiguration of the parking area." at Courtlands Snow Hill Crawley Down RH10 3DZ.

The existing hours of operation are controlled by conditions 4 and 10 of DM/17/2946. Condition 4 states that: 'No testing of sirens or washing of vehicles will take place outside of the hours of 0800 - 1930 Monday to Friday and 0800 - 1600 on Saturday's, Sunday's and Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.'

Condition 10 states that: 'Outside of the hours of 0800 - 1930 Monday to Friday and 0800 - 1600 on Saturday's, Sunday's and Public Holidays, all external workshop doors are to remain closed other than for access and egress, unless otherwise agreed in writing with the Local Planning Authority.'

The application seeks to vary condition 4 to read: 'No testing of sirens will take place outside of the hours of 0800 - 1930 Monday to Friday and 0800 - 1600 on Saturday's, Sunday's and Public Holidays, and no washing of vehicles shall take place outside of the hours of 0700-1930, unless otherwise agreed in writing with the Local Planning Authority.'

The application seeks to vary condition 10 to read: 'Outside of the hours of 0700 - 1930, all external workshop doors are to remain closed other than for access and egress, unless otherwise agreed in writing with the Local Planning Authority.'

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 Crawley Down 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

DP29 - Noise, Air and Light Pollution

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.

Crawley Down Neighbourhood Plan (adopted January 2016)

There are no relevant policies.

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 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:

NATIONAL POLICY

National Planning Policy Framework (NPPF December 2024)

Planning Practice Guidance

OTHER PLANNING GUIDANCE

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.

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 changes consist of extending the hours of operation of the site specifically relating to the testing of sirens, washing of vehicles and the use of the workshop.

Impact on neighbouring amenities

Policy DP26 in part states 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 policy DP29 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

The proposed changes to the hours of operations that are set out above are considered to be relatively modest and the Council's Environmental Protection team have raised no objection to the proposed alterations. As such it is considered that the proposal would not cause significant harm to the amenities of nearby residents. As such the proposal is considered to comply with policies DP26 and DP29 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

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 planning permission is being granted on an application made under

Section 73 of the Town and Country Planning Act 1990 and the original planning application to which the Section 73 planning permission relates was submitted before 12th February 2024. This application is therefore exempt from the requirement to provide biodiversity net gain.

CONCLUSION

In conclusion the proposed alterations to the permitted hours of use are not considered to cause significant harm to the amenities of nearby residents. The proposal is also exempt from the BNG requirements. Therefore, the proposal complies with policies DP26 and DP29 of the Mid Sussex District Plan, the Crawley Down Neighbourhood Plan and the Mid Sussex Design Guide SPD.

Decision: Permission

Case Officer: Hamish Evans