

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0005	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed conversion of garden room with additional floor space created between the garage and the existing garden room, also extending the rear of the existing garden room to create space for the bathroom. Garden room to be ancillary to main dwelling		
Site:	Stables Cottage, Sandy Lane, Crawley Down, Crawley, West Sussex, RH10 4HR, ,		
Validation Date	16 Feb 2026	Overall Expiry Date:	20 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Apr 2026
Target Date:	13 Apr 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	8 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0005

**Stables Cottage, Sandy Lane, Crawley Down, Crawley, West Sussex, RH10 4HR,
Proposed conversion of garden room with additional floor space created between the garage and the existing garden room, also extending the rear of the existing garden room to create space for the bathroom. Garden room to be ancillary to main dwelling
Mr And Mrs G Bernard**

SUMMARY OF REPRESENTATIONS

One letter of representation was received. This raised concerns regarding:

- Accuracy of submitted plans
- Land ownership
- Legal status of the garden room
- The use would not be ancillary
- Overdevelopment of the site
- Conveyance agreement

SUMMARY OF CONSULTEES

MSDC Conservation Officer

The application site is an unlisted detached house, formerly the stables to the adjacent Grade II listed building. Although I would not regard the Cottage as curtilage listed, it is within the setting of the listed building, and given its age and character, and the historical functional relationship with the adjacent house, I would regard it as a non-designated heritage asset (NDHA).

The adjacent listed building is a large Grade II listed Arts and Crafts house, built in 1891, formerly known as Oaklawn and now divided into two dwellings - Heatherwood West and Heatherwood South. The house is set in a substantial (although now subdivided) garden setting. Stables Cottage, which appears to be contemporaneous with the house, is located just to the northwest and shares the same driveway approach as well as a similar outlook to the rear onto woodland and countryside, beyond a walled garden which would once formed part of the gardens to Oaklawn. There is clear intervisibility between the two buildings, which are set in close proximity to each other, and they have considerable group value within the still appreciable former garden setting of the house.

Heatherwood West and Heatherwood South would be considered to possess architectural interest based on its design, construction and craftsmanship as a good example of a substantial Arts and Crafts country house, historical illustrative value as a late 19th century country dwelling of some pretension, altered and extended in response to the changing needs and aspirations of successive owners, and aesthetic value based in part on the use of vernacular materials appropriate to the Arts and Crafts style. Stables Cottage makes a strong positive contribution to the setting of the house, and has group value with it being of the same age and architectural style, and sharing a similar palette of materials. It contributes positively to the special interest of the listed building, including particularly its historical illustrative and aesthetic values.

Viewed in its own right as a NDHA the building also possesses historical evidential and illustrative interest as a good example of a former late 19th century domestic stables, as well as aesthetic interest- it is an attractive and characterful building, despite some unsympathetic alterations including the introduction of uPVC windows.

The current proposal relates to a single storey outbuilding located to the eastern side of Stables Cottage, adjacent to the boundary with Heatherwood. The building appears to date from the later part of the 20th century and is flat roofed, and clad partly with timber and partly with uPVC cladding. It is not an attractive feature of the setting of the Cottage, and detracts from its significance as an NDHA. In terms of the

setting of and views from Heatherwood, the building turns its back on the adjacent listed building and appears to be relatively well screened by fencing and planting to the boundary, however in as much as it is visible it will not be regarded as a positive feature.

The current proposal is for the conversion of the outbuilding into ancillary residential accommodation, including extensions to enclose the existing covered space between the building and the adjacent garage, and enclosure and extension of the storage space to the rear (eastern) side to create a bathroom.

The enlargement of a feature which detracts from the settings of heritage assets would not normally be favourably viewed. However, in this instance the proposed additions to the bulk of the building are relatively minor, largely involve already covered areas, and are well screened by the existing building and/or the boundary treatment with Heatherwood. The applicant has also indicated during discussions on site that they may be open to changing the existing cladding to the building to something more appropriate to the context as part of the works. On balance, if the proposal is amended to include removal of the existing uPVC cladding in favour of a more contextually appropriate material such as natural or painted timber boards throughout, I would consider that the proposal would preserve the settings of the NDHA and the adjacent listed building.

Subject to the above amendment, and to detail which could be reserved by condition, the proposal is therefore considered to preserve the settings and significances of Heatherwood South and West and of Stables Cottage, meeting the requirements of District Plan Policies DP34 and DP35 and the relevant paragraphs of the NPPF.

PARISH COUNCIL OBSERVATIONS

Defer to Officer.

INTRODUCTION

The application seeks planning permission to convert an existing attached outbuilding into habitable accommodation.

RELEVANT PLANNING HISTORY

DM/20/3726- Two storey rear extension. Withdrawn.

DM/21/0720- Ground floor rear extension and loft conversion. Withdrawn.

DM/21/3005- Two storey rear extension (amended plans received 20/12 and amended tree Protection Plan received 13/01). Permission.

SITE AND SURROUNDINGS

Stables Cottage is a detached two storey dwelling. The property is characterised by white painted brick, white fenestration and a plain tile roof. The property benefits from an attached single storey outbuilding to the eastern side of the application site.

The application site is outside the built-up area boundary of Crawley Down and lies within the setting of Heatherwood West, a grade II listed building. Neighbouring properties are located to the east and west. Highway is located to the south.

APPLICATION DETAILS

The proposal seeks planning permission to convert and extend an existing attached outbuilding to the eastern side of the dwelling to create ancillary residential accommodation.

Submitted plans show that it is proposed to create additional floor space between the existing covered area between the garage and garden room. This would measure some 2.6 metres in width and some 3 metres in depth. It is also proposed to extend the existing storage area on the eastern side of the garden

room. This would measure some 3.2 sqm and would create a bathroom. It is proposed to clad the extension in timber cladding.

It is also proposed to replace 2 no. doors with windows on the front (western) elevation and to replace a window with a door on the side (western) elevation.

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 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.

Relevant policies:

DP12 - Protection and Enhancement of the Countryside

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies:

No relevant policies

Neighbourhood Plan

Crawley Down Neighbourhood Plan was made in 2016.

Relevant policies:

Policy CDNP04.1 Building Extensions

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

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

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

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Impact on character and appearance of the area and heritage assets
- Neighbouring Amenities
- Other matters
- Biodiversity Net Gain

Impact on character and appearance of the area and heritage assets

The proposal affects the setting of Heatherwood West, a Grade II listed dwelling.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Policy DP34 of the District Plan relates to listed buildings and their settings and requires all proposals to demonstrate a thorough understanding of the listed building and its setting which is proportionate to the importance of the building and the potential impact of the proposal.

The site is located outside of a defined the built up area boundary and, as such, is within the countryside. Policy DP12 of the Mid Sussex District Plan seeks to protect the countryside 'in recognition of its intrinsic character and beauty' and supports new development 'provided it maintains or where possible enhances the quality of the rural and landscape character of the of the District'.

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 while being sensitive to the countryside, as well as addressing the character and scale of the surrounding buildings and landscape. In part, the policy requires proposals to be of a high-quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

Policy CDNP04.1 of the Crawley Down Neighbourhood Plan states that building extensions will be permitted where the *'scale, height, and form of the extension should be subservient to the existing building, and should be in character with the street scene. Where appropriate, special regard should be had to sustaining and enhancing the setting and features of heritage assets and the Areas of Townscape Character.*

Principle DG49 of the MSDC Design Guide relates to extensions and states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be

designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions. Extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise it should demonstrate the appropriateness of the alternative approach. Extensions should not result in a significant loss to the private amenity area of the dwelling.

Paragraphs 212 - 215 of the NPPF states:

'212. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The property lies outside the built-up area boundary of Crawley Down. Properties in this area are loose knit and of a variety of designs and ages.

The Conservation Officer was consulted on the application and has provided a response. They consider that the proposed additions to the bulk of the building are relatively minor and are well screened by the existing building and/or the boundary treatment with Heatherwood. Furthermore, they consider that if the existing partial upvc cladding was replaced with natural or painted timber boards throughout, the external materials would be more contextually appropriate. This can be secured by a suitably worded condition. As a result, they consider that the proposal would preserve the settings of the NDHA and the adjacent listed building. These views are shared and agreed upon from a planning perspective.

The original submission proposed a bedroom, kitchen, lounge and bathroom within the outbuilding. During the assessment of the application, concerns were raised about the potential for the accommodation to function independently from the main dwelling. In response, revised plans were submitted removing the kitchen and installing a door between the garage and the new internal space; however, the amended layout, comprising a bedroom, lounge and bathroom, providing facilities that could allow it to function independently from the main dwelling if not properly controlled. Although no kitchen is proposed, the level of accommodation and access is such that, without restriction, the space could be used as a separate self-contained unit. This would represent an intensification of residential use

on the site that has not been assessed as part of the application. To ensure the accommodation remains subordinate to and used in connection with the main dwelling, and to prevent the creation of an unauthorised independent unit, it is both necessary and reasonable to impose a condition restricting its occupation to ancillary purposes only.

The proposal is therefore considered to comply with Policies DP12, DP26 and DP34 of the District Plan, policy CDNP04.1 of the Crawley Down Neighbourhood Plan, the relevant paragraphs of the NPPF and the Mid Sussex Design Guide SPD.

Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals should *'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'*.

Policy CDNP04.1 of the Crawley Down Neighbourhood Plan relates to building extensions and requires that *'amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded'*.

As such there is some conflict between the two policies.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflict with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, policy DP26 of the District Plan is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to the amenities of existing nearby residents.

To the east is Heatherwood West. Given the single storey and modest nature of the new works proposed, it is not considered that the development would be harmful to the light and outlook of this neighbour. As the proposal does not include a window on the side elevation, it is not considered that the development would give rise to significant overlooking concerns.

Due to the residential nature of the proposed development, there would not be any significant harm regarding noise, air or light pollution.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above part of policy DP26 of the District Plan.

Other matters

Representations question the accuracy of submitted plans. An officer site visit was undertaken as part of the assessment, and it was found that the drawings provide an accurate reflection of the building and its surroundings. The application must therefore be determined on the basis of the plans submitted.

Concerns regarding land ownership are noted; however, these are civil matters and therefore have not been taken into account in the assessment of this application.

Representations also question the lawfulness of the outbuilding, the subject of this application. Under section 171B of the Town and Country Planning Act 1990, operational development becomes immune from enforcement action once the relevant time limit has expired. As the evidence indicates that the outbuilding was substantially completed more than four years ago (before the transitional change introduced on 23rd April 2024), the development has therefore become immune from enforcement action.

Concerns regarding overdevelopment of the site are noted; however, the previously approved two-storey extension approved under application DM/21/3005 is not extant, and the acceptability of the present scheme has been considered independently and is addressed elsewhere in this report.

Finally, concerns relating to the conveyancing agreement are acknowledged, however such matters are private legal issues and do not relate to the planning use of land. As such, conveyancing is not a material planning consideration and cannot be afforded weight in the determination of this application.

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 proposal is considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policies DP26 and DP34 of the Mid Sussex District Plan, policy CDNP04.1 of the Crawley Down Neighbourhood Plan and the relevant paragraphs of the NPPF. It is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin