

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1109	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Installation of a pre-fabricated garden structure for recreational use ancillary to the garden		
Site:	Wyndham Croft, Selsfield Road, Turners Hill, Crawley, West Sussex, RH10 4PS, ,		
Validation Date	4 Jun 2025	Overall Expiry Date:	30 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Jul 2025
Target Date:	30 Jul 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	29 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1109

**Wyndham Croft, Selsfield Road, Turners Hill, Crawley, West Sussex, RH10 4PS,
Installation of a pre-fabricated garden structure for recreational use ancillary to the garden
Mr And Mrs Nathan**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Tree Officer - No Objections

NatureSpace - No comment

WEST HOATHLY PARISH COUNCIL OBSERVATIONS

West Hoathly Parish Council made no objections to this proposal.

INTRODUCTION

The application seeks planning permission for the installation of a pre-fabricated garden structure for recreational use ancillary to the garden.

RELEVANT PLANNING HISTORY

DM/22/1878 - Installation of pre-fabricated timber car port and summerhouse. (amended site address 21/06) Permission 2022-08-03

04/02593/FUL - Retrospective application for replacement wooden boundary fence along Selsfield Road measuring between 115-145 cm in height. Permission 2005-02-01

01/01706/FUL - To resite access to Wyndham Croft and to field to provide safer entry and exit. Permission 2002-01-11

HO/025/93 - NEW GARAGE. Permission 1993-10-25

SITE AND SURROUNDINGS

Wyndham Croft is a large detached hipped roofed dwelling characterised by a mix of painted render and face brickwork and timber doors and windows. The dwelling is characterised by various extensions and outbuildings. To the northwest of the site are fields, to the southwest of the site is the garden with fields beyond, to the southeast of the site is the driveway with woodland to highway beyond and to the north-east of the site is a brick wall to neighbouring Wyndham Croft Cottage beyond. The site is within the countryside and within the High Weald AONB, now known as National Landscape.

APPLICATION DETAILS

The proposed garden structure measures 5.8m wide and 5.8 m in length and will have an approximate height of 3.3m. It will be constructed of timber posts and panels, have a sheet lead roof and will be traditional in design.

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 the West Hoathly 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:

DP16 - High Weald Area of Outstanding Natural Beauty

DP26 - Character and Design

DP37 - Trees, Woodland and Hedgerows

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.

West Hoathly Neighbourhood Plan

The West Hoathly Neighbourhood plan was made in April 2015.

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) 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:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPC4 - High Weald Area of Outstanding Natural Beauty

DPN4 - Trees, Woodland and Hedgerows

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration.

ASSESSMENT

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

- Impact on the High Weald AONB
- Impact on trees
- Design and Character
- Impact on neighbouring properties
- Biodiversity Net Gain

Impact on the High Weald AONB

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to 'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'. The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to 'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs'. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.'

Policy DP16 of the District Plan relates to the High Weald AONB and requires proposals to 'conserve or enhance natural beauty'.

The application relates to the installation of a traditionally designed timber structure. The proposed site for the building is within the garden area of Wyndham Croft and will be screened by trees on three of the sides. It will not be visible from the wider landscape and will therefore not be considered to have an adverse impact on the overall landscape quality of the AONB. As such the proposal would comply with the requirements of Policy DP16 of the District Plan, The High Weald AONB Management Plan and paragraph 189 of the NPPF.

Impact on Trees

Policy DP37 of the Mid Sussex Plan relates to trees and states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and*
- o the contribution of the trees to the character and visual amenity of the local area; and*
- o the amenity and nature conservation value of the trees; and*
- o the extent and impact of the works; and*
- o any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1

basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'

A total of 6 trees were surveyed at Wyndham Croft. The hedges and shrubs were not considered to be of material consideration as their stem diameter was less than 150mm. The MSDC Tree Officer was consulted on the application and considered the proposal and raised no objections.

Design and Character

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 DP29);'*

The proposal is set in a discrete position not visible from the public domain, and will be subservient to the existing dwellinghouse. In terms of proposed external materials, the proposed structure would be constructed from materials which will compliment the main dwelling.

Given the design, form and scale of the proposal in relation to its' surroundings, the proposal is considered to comply policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

In terms of impact upon 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);'

It is not considered that the proposed development would give rise to any significant overlooking impact. Wyndham Croft is not overlooked by any neighbouring properties and is not visible from the road. Given the domestic nature of the proposed development, it is not considered that there will be any significant harm or impact in terms of noise, air or light pollution.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 of the Mid Sussex District Plan.

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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities. Therefore, the proposal complies with policies DP16 and DP26 of the Mid Sussex District Plan, The High Weald Area of Outstanding Natural Beauty Management Plan and the relevant paragraphs of the NPPF and is considered acceptable. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Tracie Axford