

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0657	Case Officer:	Hamish Evans
Application Type:	Householder Application		
Proposal:	Erection of an annexe for ancillary use to the main dwellinghouse.		
Site:	Hedgerows, Burleigh Lane, Crawley Down, Crawley, West Sussex, RH10 4LF, ,		
Validation Date	13 Mar 2025	Overall Expiry Date:	8 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Aug 2025
Target Date:	8 May 2025	Recommending Officer Signature:	Hamish Evans

Date Legal Agreement Completed: (if applicable)	PL13-008357 4 Jul 2025	No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	6 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0657

**Hedgerows, Burleigh Lane, Crawley Down, Crawley, West Sussex, RH10 4LF,
Erection of an annexe for ancillary use to the main dwellinghouse.
Mr And Mrs Stacy**

SUMMARY OF REPRESENTATIONS

One third-party letter of representation has been received in respect of this application, it supports the proposal and comments on the matters that should be considered as part of the application.

SUMMARY OF CONSULTEES

MSDC Newt Officer

No objection subject to informative.

Southern Water

No objection recommends informative.

WORTH PARISH COUNCIL OBSERVATIONS

Defer to Officer with a non-severance clause attached.

INTRODUCTION

The application seeks planning permission for an annexe for ancillary use to the main dwellinghouse at Hedgerows Burleigh Lane Crawley Down RH10 4LF.

RELEVANT PLANNING HISTORY

DM/25/0658. Use of the land for siting a mobile home for ancillary use to the main dwellinghouse. Permission.

SITE AND SURROUNDINGS

The site is located within the countryside with the built up area boundary of Crawley Down located to the north west of the site. The site is located within the 7km buffer zone of the Ashdown Forest. The application site consists of a two-storey residential property which is characterised by bare brown brickwork walls, brown clay roof tiles and white uPVC window and door frames. The site has a relatively significant curtilage to the north and south of the existing dwelling. There is a significant area of gravel to the front of the dwelling which can accommodate some six vehicles for off-street parking. The existing boundary treatment consists of significant hedgerows, tree lines and post and rail fences. The surrounding area is rural in its nature with open fields to the south and west of the site and residential properties to the north and east of the site. Burleigh Lane is located to the north of the site.

APPLICATION DETAILS

The application seeks planning permission for an annexe for ancillary use to the main dwellinghouse. The proposal will measure some 6.7 metres in width, 15.0 metres in length, an eaves height of 2.9 metres and a total height of 4.5 metres. The overall height measured from the floor at the lowest level to the ceiling at the highest-level measures some 3.0 metres. The application documents advise the annexe would provide accommodation for the existing residents of Hedgerows whilst relatives of the

existing occupiers would move into the main dwelling and it would be ancillary to the main dwelling so as not be used as an independent dwelling. The submitted planning statement details that it will share the same postal address as the main dwelling, the same post box, utility meters, services of the main house, parking, the garden or curtilage and access.

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 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 Countryside

DP15 - New Homes in the Countryside

DP17 - Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

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.

Crawley Down Neighbourhood Plan (adopted January 2016)

Relevant policies:

CDNP05 - Control of New Developments

CDNP11 - Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA)

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 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:

DPC1: Protection and Enhancement of the Countryside

DPC3: New Homes in the Countryside

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

Principle of Development

This application seeks planning permission to for the erection of a self-contained annexe accommodation to be used in association with the main dwellinghouse. As in the countryside DP12 and DP15 of the Mid Sussex District Plan are most relevant.

Policy DP12 of the Mid Sussex District Plan states:

'The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture; or*
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.*

Agricultural land of Grade 3a and above will be protected from non-agricultural development proposals.

Where significant development of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

The Mid Sussex Landscape Character Assessment, the West Sussex County Council Strategy for the West Sussex Landscape, the Capacity of Mid Sussex District to Accommodate Development Study and other available landscape evidence (including that gathered to support Neighbourhood Plans) will be used to assess the impact of development proposals on the quality of rural and landscape character.

Built-up area boundaries are subject to review by Neighbourhood Plans or through a Site Allocations Development Plan Document, produced by the District Council'.

A similar ethos is contained within policy CNP05 of the Crawley Down Neighbourhood Plan.

Policy DP15 of the District Plan is deemed relevant when considering annexe accommodation within the countryside. The policy relates to new homes in the countryside and states in part that new 'granny annexes' that are physically separate to the dwelling will be defined as a new home and are subject to the same requirements as required for new homes in the countryside.

The proposal consists of an annexe in connection to the existing residential property and no evidence has been submitted to demonstrate that it would be used as affordable housing, or accommodation essential for agriculture or forestry. The proposal is also not considered to be of design of exceptional quality that would enhance the immediate setting or sensitive to the character of the area. The proposal is also located within the countryside and not contiguous to a built up area.

The proposed development would result in a self-contained unit of accommodation serving the current occupiers of Hedgerows, with a kitchen, bathroom, living area and sleeping space provided. Whilst separate from the main dwellinghouse, the proposed annexe building is to lie in close proximity to the existing dwelling and within its residential curtilage. It is stated that the annexe would have the same access, address, utility meters, garden, curtilage, septic tank and post box as the main dwelling. Coupled with this, given the location of the annexe in relationship to the main dwelling, it cannot realistically be severed from existing dwelling. As a fallback position a Mobile Home has been approved in the same location with the same facilities under permitted development under reference DM/25/0658.

Given the proximity of the annexe building to the dwellinghouse, it is considered that there would be a fair amount of overlooking between the dwelling and annexe accommodation and given the relationship between the occupants of the annexe (elderly relatives) and the main dwelling there will be a great deal of reliance on the main dwelling.

On balance it is considered that while the development does constitute an annexe in the countryside which conflicts with DP15 of the MSDP, there are other material considerations, specific to this case, which justify that this proposal will also meet the strategic objective of DP15 in so much as protecting valued landscapes and in recognition of its intrinsic character and beauty (DP12 and DP15). It will remain as one family unit without any likelihood of subdivision. Given the modest size of the building and its proximity to the dwellinghouse, the local planning authority is satisfied that the building will be used for purposes ancillary to the enjoyment of the main house and will not be used separately as self-contained residential accommodation; planning conditions can be imposed to ensure that the building is used for purposes ancillary to the enjoyment of the dwellinghouse and for the specific use of the homeowner's dependents.

Character and Design

Policy DP12 of the Mid Sussex District Plan seeks to maintain or where possible enhance the quality of the rural landscape character of the District.

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 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 external materials are not similar in appearance to those used in the existing dwelling however, given their rural appearance they are considered to address the character of the surrounding buildings and landscape, and maintain the quality of the rural landscape character of the District. It should also be noted that the proposed external materials are considered to be common within the countryside. Details of the proposed external materials can be secured by a suitably worded condition.

The proposal is of a modest single storey nature and it would be subordinate in height to the existing dwelling. It would be sited within the existing curtilage of the existing dwelling and given the existing boundary treatment there would be limited views of the building from the surrounding area. It should also be noted that as a fallback position a mobile home has been approved in the same location with the design, scale and appearance under permitted development under reference DM/25/0658.

As such the proposal is considered to address the character and scale of the surrounding buildings and landscape and maintain the quality of the rural landscape character of the District. Therefore, the proposal complies with policy DP12 and DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Neighbouring Amenities

In terms of impact on neighbouring amenities, DP26 of the Mid Sussex District Plan in part states that applicants will be required to demonstrate 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.'

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

The siting of the proposal would mean that it would not be immediately adjacent to nearby residents private amenity space and the proposed openings would not have direct views into neighbouring properties private amenity space. The proposal is of a modest single storey nature and it would not result in a new wholly independent unit of accommodation. It should also be noted that as a fallback position a Mobile Home has been approved in the same location with the design, scale and appearance under permitted development under reference DM/25/0658. Taking into account the above it is considered that the proposal would not cause significant harm to the amenities of nearby residents and it would comply with policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment process for the Mid Sussex District Plan. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase

in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application is within the 7km zone of influence and generates a net increase of one annexe, and as such, mitigation is required.

An appropriate scale of SAMM mitigation for the proposed development is £1,170.

The applicants have agreed that they would be prepared to make a financial contribution towards the SAMM Strategy. Any contributions received will be ring-fenced for expenditure in accordance with the relevant SAMM Strategies.

The financial contributions for SAMM mitigation can be secured through a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 ("Planning Obligation").

The Planning Obligation securing the SAMM contributions is being progressed so it is considered that the mitigation of the recreational impact to the Ashdown Forest can be secured. The proposal therefore accords with Policy DP17 of the Mid Sussex District Plan.

Natural England has been consulted on the appropriate assessment of this proposed development and have raised no objection subject to securing appropriate mitigation.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The proposed development was modelled in the Mid Sussex Transport Study as a windfall development such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. Additionally, based on analysis of Census 2011 data, the proposed development is not likely to generate travel to work journeys across Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC.

The provision of mitigation in the form of SAMM is essential to the proposals within the planning application to ensure the Ashdown Forest SPA is protected from any potential recreational disturbance impact arising from this proposed new development. In accordance with the Council's SAMM Strategy Tariff Guidance and its Type of Development and Application of SANG Contribution Guidance the development only requires SAMM contributions to be provided. Due to the proposed visitor

accommodation use the development is not considered to attract SANG contributions. The development proposed provides sufficient mitigation to avoid any potential impact on the Ashdown Forest SPA.

No mitigation is required in relation to the Ashdown Forest SAC.

Having undertaken a Habitats Regulations Assessment of the implications of the project for the site in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received, Mid Sussex District Council as the competent authority may now determine the proposed development. The Habitats Regulations Assessment concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC.

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 address the character and scale of the surrounding buildings and landscape and it would maintain the quality of the rural landscape character of the District. It would not cause significant harm to the amenities of nearby residents and there will be no likely significant effect on the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The proposed annexe is considered to be acceptable. Whilst the proposed annexe is contrary to the criteria of MSDP policy DP15, there are other material considerations which make the use of this building acceptable for ancillary purposes. It is considered that a planning condition is appropriate in this case and there is justification for including one within a planning permission. Therefore, the proposal complies with Policies DP12, DP15, DP17 and DP26 of the Mid Sussex District Plan, policies CDNP05 and CDNP11 of the Crawley Down Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Hamish Evans