

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0438	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension, porch extension, first floor extension with a crown roof, changes to fenestration and removal of chimney.		
Site:	Ember Rise, Sandhill Lane, Crawley Down, Crawley, West Sussex, RH10 4LE, ,		
Validation Date	19 Feb 2025	Overall Expiry Date:	14 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	9 May 2025
Target Date:	16 Apr 2025	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	12 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0438

**Ember Rise, Sandhill Lane, Crawley Down, Crawley, West Sussex, RH10 4LE,
Proposed single storey rear extension, porch extension, first floor extension with a crown roof,
changes to fenestration and removal of chimney.
Wyeth-Lamb And Lamb**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Nature Space

No objection.

MSDC Tree Officer

No objection.

Southern Water

Southern Water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

PARISH COUNCIL OBSERVATIONS

Defer to Officer.

INTRODUCTION

Planning permission is sought for a proposed single storey rear extension, porch extension, first floor extension with a crown roof, changes to fenestration and the removal of a chimney.

RELEVANT PLANNING HISTORY

WP/109/74- Farm Managers house to provide three bedrooms, study, car port etc. Permission.

WP/258/88- Extension, alteration, improvement. additional bedroom, bathroom, living areas. replacement of windows. Permission.

WP/100/97- Lawful development certificate: continued use of dwelling without complying with agricultural occupancy condition. Permission.

WP/056/98- Two storey domestic extension to existing house plus single storey garage. Permission.

DM/21/2189- Replacement of conservatory with rear extension. Conversion of existing integrated car port to habitable space. Replacement of aviary and greenhouse with timber carport and garden store. Refurbishment of existing outbuilding. Permission.

SITE AND SURROUNDINGS

The application property consists of a detached, two-storey dwelling. The dwellinghouse has a pitched gable roof and is constructed in brick, with hanging tiles on the first floor, plain roof tiles and brown uPVC fenestration. The property benefits from an existing outbuilding, wrap around garden and driveway.

The property is located off the southern side of Sandhill Lane, a private road within the countryside. The site is located on a higher ground level than the highway and is set back by a steep gated driveway. To the west of the site is a public footpath that continues to the south. Neighbouring properties are located to the north, east and west.

APPLICATION DETAILS

The proposal consists of replacing a conservatory with a rear extension, the construction of a porch extension, the construction of a first-floor extension on the northern elevation, changes to fenestration and the removal of a chimney.

The proposed single storey rear extension is to be sited on the southern elevation. It is to replace an existing conservatory and would measure some 6.3 metres in width and some 1.2 metres in depth. This extension would have a pitched roof and have an overall height of some 3 metres and a height to the eaves of some 2.3 metres. The roof would be made of standing seam metal, whilst the walls would be white painted brickwork. It is proposed install sliding doors on this elevation.

The proposed porch extension is to be on the northern elevation. It would measure some 4 metres in width and some 1.9 metres in depth. This would have a gabled roof with an overall height of some 4.1 metres and a height to the eaves of some 2.2 metres. This would be finished in standing seam metal cladding and would have a standing seam metal roof.

The first-floor extension would have an overall width of some 8.3 metres and would be staggered. The western end of the addition would have a maximum depth of some 2.6 metres and is proposed to be used as a bathroom. The eastern end of the addition would have a maximum depth of some 4.5 metres and is proposed to be used as a bedroom. The existing roof slope of the ground floor on the northern elevation would be extended to meet the first-floor extension to form a crown roof. The roof would be tiled to match the existing, whilst the walls would be finished in white painted brickwork.

It is also proposed to remove windows on the first-floor northern elevation, and on the ground floor western and eastern elevations. It is proposed to drop the existing cill to install a new door on the western elevation. It is also proposed to extend the existing windows on the southern first floor elevation, and to extend the existing cill heights in the principal bedroom.

Finally, it is proposed to paint the brickwork white on the ground floor 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 Countryside

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.

Neighbourhood Plan

Crawley Down Neighbourhood Plan was made in 2016.

Relevant policies:

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 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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

DPC1 - Protection and Enhancement of 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

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

- o Design and Character
- o Impact on neighbouring properties
- o Impact on Trees
- o Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development."*

Policy CDP04.1 of the Crawley Down Neighbourhood Plan relates to extensions and states that:

"Building extensions will be permitted provided they are in accordance with the Neighbourhood Plan and meet the following criteria:

- a) 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.*
- b) The traditional boundary treatment of an area is retained and where feasible reinforced.*
- c) Suitable access and on- site parking is provided without detriment to neighbouring properties.*
- d) Amenities such as access, noise, privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.*
- e) Gaps which provide views out of the village to surrounding countryside are maintained.*
- f) Materials are compatible with materials of existing/surrounding buildings."*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment 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.'

Principle DG50 relates to front extensions and states:

'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order. Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property.'

Principle DG51 specifically relates to rear extensions and states that *'rear extensions which are not visible from the street and do not negatively impact on neighbouring properties can be expressed in many forms, including by adopting a contemporary architectural approach. With reference to DG49, they should nevertheless have consideration for the character of the existing building and the relationship of the extension with the side boundaries and adjacent buildings and gardens.'*

The application relates to an area characterised by loose knit, sporadic residential development which is set back from the highway. Sandhill Lane is lined on both sides by mature planting and trees which restricts views of the residential properties.

The design of the proposed rear extension follows the line of the existing kitchen and would be of a scale that would not overwhelm the host dwelling. The pitched roof design responds appropriately to the main dwelling. Although the proposed materials are different to the existing, they are considered appropriate for the building.

The proposed first floor extension, although wide, would be of an appropriate scale which would be subservient to the main dwelling. In addition, the proposed crown roof design reduces the visual scale of the extension. The use of materials to match would provide a consistent finish.

The proposed porch extension is of an appropriate scale and the gable roof design responds appropriately to the existing front elevation. Although the proposed materials are different to the existing, they are considered appropriate for the building.

The removal of the window on the first-floor northern elevation, the windows on the ground floor, and the removal of the chimney, reduces the visual clutter of the design.

Due to the setback position of the dwelling from the highway, and the spacing of houses along Sandhill Lane, it is considered that there would only be glimpsed views of the proposed additions. Given the appropriateness of the additions in relation to the host dwelling, it is considered that there would not be an adverse impact on the character of the streetscene.

Impact on neighbouring properties

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);'

Policy CDP04.1 states that proposals should "safeguard" adjoining neighbours amenity whereas policy DP26 of the MSDP states that development 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect.

Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts 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 MSDP is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

The closest neighbouring properties are Paddock House and Sandhill Cottage, which are located at least 38 metres from the application property. Due to the separation distance, it is considered that the proposal would not cause harm to the amenities of neighbouring properties.

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 18 trees are in proximity of the proposed extension. The MSDC Tree Officer was consulted on the application and considered the proposal. No objection has been raised providing a condition is included to secure the submitted Arboricultural Method Statement and the Tree Protection 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

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse and locality, would not cause harm to the amenities of neighbouring properties and is acceptable in terms of the impact on trees. Therefore the proposal complies with Mid Sussex District Plan policies DP12, DP26 and DP37, policy CDNP04.1 of the Crawley Down Neighbourhood Plan and the relevant provisions of the NPPF. The application is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin