

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0850	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Proposed ground floor new rear extension, ground floor new porch		
Site:	39 Rowan Walk, Crawley Down, Crawley, West Sussex, RH10 4JW, , ,		
Validation Date	28 Mar 2025	Overall Expiry Date:	24 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 May 2025
Target Date:	23 May 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	22 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0850

**39 Rowan Walk, Crawley Down, Crawley, West Sussex, RH10 4JW, ,
Proposed ground floor new rear extension, ground floor new porch
Mr And Mrs Matthews**

REPRESENTATION RECEIVED

None received.

PARISH COUNCIL OBSERVATIONS

Defer to officer.

INTRODUCTION

The application seeks planning permission for a single storey rear extension and front porch.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is an end of terrace two storey dwelling located to the north of Hazel Way, within the built-up area boundary of Crawley Down.

The application property has a pitched roof and is constructed from brick, plain roof tiles and white uPVC fenestration. The property has an existing flat roof canopy to the front above the front foot. The dwelling faces north and is accessed via the footpath Rowan Walk with garages behind the property serving dwellings on both Rowan Walk and Hazel Way. The locality is characterised by terraced and semi-detached dwellings of a similar scale, form and design.

APPLICATION DETAILS

The application seeks planning permission for a single storey rear extension and a front porch. The rear extension will have a width and depth of 5.25 metres and 3.0 metres. The extension will have a lean-to roof with an eaves height of 2.55 metres and an overall height of 3.36 metres. 2 no. rooflights are to be installed and will sit flush with the roof. The extension will be constructed from brick and tiles to match the existing dwelling.

The proposed front porch will have a width and depth of 1.36 metres and 2.33 metres. the porch will have a flat roof with a height of approximately 2.75 metres. the materials will match the existing dwellinghouse.

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:

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 (made January 2016)

Relevant policies:

CDNP04.1 - Building Extensions

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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 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

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)

Paragraphs 8, 11, 131 and 135 are considered to be relevant.

National Planning Policy Guidance

ASSESSMENT

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

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

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 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.'*

Policy CDNP04.1 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 and side extensions and in part states that:

'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 relates to rear extensions and states:

'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 proposed porch and rear extension are considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. The proposed materials will be matching to the existing dwelling. The proposal therefore considered to comply with policy DP26 of the District Plan and CDNP04.1 of the Cuckfield Neighbourhood Plan.

Impact on neighbouring properties

DP26 of the Mid Sussex District Plan 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 shared boundaries to the back of the properties are marked by close board fencing. the extension is single storey and of modest size and will therefore not create any significant harm to nos. 37 and 41 Rowan Walk amenity areas.

The proposed porch overlooks onto the public realm of Rowan Walk and will not create any additional harm to neighbour amenity areas.

Therefore, in terms of neighbouring amenities, the proposal is deemed to not cause significant harm and therefore complies with DP26 of the Mid Sussex District Plan and CDNP04.1 of the Crawley Down Neighbourhood 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 significant harm the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, policy CDNP04.1 of the Crawley Down Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Peter Davies