

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1240	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Erection of commercial building, reconfiguration of yard and associated works.		
Site:	Parkfields Farm, Hophurst Lane, Crawley Down, Crawley, West Sussex, RH10 4LN, ,		
Validation Date	11 Aug 2025	Overall Expiry Date:	11 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 Mar 2026
Target Date:	6 Oct 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Joanne Fisher</i>	Date:	13 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1240

**Parkfields Farm, Hophurst Lane, Crawley Down, Crawley, West Sussex, RH10 4LN,
Erection of commercial building, reconfiguration of yard and associated works.
Giddings**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Place Services Ecology: No objection.

Mid Sussex District Council Drainage: *'The Flood Risk and Drainage Team raise no objection to the proposed development on flood risk and drainage grounds.'*

West Sussex County Council Fire and Rescue Service: Advised pre-commencement and pre-occupation conditions.

West Sussex County Council Highways: No objection.

Naturespace: *'I have reviewed the applicant's updated ecological documents. Within Ecological Assessment, Coyne Environmental LTD, Parkfields Farm, Hophurst Lane, Crawley Down, RH10 4LN, HSI assessments have been undertaken in lieu of surveying the nearby waterbodies. From this assessment it has been concluded that GCN are not a constraint for this development, however it is important to note that HSI surveys while useful are not an appropriate replacement for eDNA/population assessments. Although it is considered that the proposed development would present a low risk to great crested newts and/or their habitats, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, and due to the presence of nearby waterbodies'*

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: *'Defer to Officer'*

INTRODUCTION

The application seeks planning permission for the erection of a new commercial building, the reconfiguration of the yard and associated alterations.

RELEVANT PLANNING HISTORY

03/00208/COU - Regularisation Application for continued B1/B2 use of existing building and land. Permission 28.04.2003.

04/02812/ADV - 2 fascia signs to be mounted on existing post and rail fence. Permission 22.12.2004.

12/00759/FUL - Construction of a Mezzanine Floor Within the Existing Barn to Provide Additional Office Space for Relocation of the Call Centre. Permission 02.05.2012.

SITE AND SURROUNDINGS

The application relates to Parkfields Farm, a commercial site with the existing residential farmhouse to the south. There are a number of corrugated metal roofed industrial sized buildings on site positioned to

the north of the farmhouse. The site is served access to the south-east of the site from Hophurst Lane. To the north, the site is bordered by open fields and there are some other industrial sized buildings positioned to the south-west of the site at the neighbouring Falcon Park.

The site is not located within any defined built up area boundary.

APPLICATION DETAILS

The development proposal would erect a new commercial building on site. The proposed building would measure at approximately 34m in length, 19m wide, 6.3m high to the eaves and 8.5m high to the ridge. The proposed building would be composed of leathergrain plastic coated quadcore LPCP composite insulated panels with stainless steel fixings to the walls and roof with grey PVC gutters and downpipes.

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.

Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations 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:

DP1: Sustainable Economic Development

DP12: Protection and Enhancement of Countryside

DP14: Sustainable Rural Development and the Rural Economy

DP21: Transport

DP26: Character and Design

DP28: Accessibility
DP29: Noise, Air and Light Pollution
DP38: Biodiversity
DP39: Sustainable Design and Construction
DP41: Flood Risk and Drainage

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.

SA38 Air Quality

Neighbourhood Plan

Crawley Down Neighbourhood Plan (Made January 2016)

Relevant policies.

Policy CDNP06: Sustainable Drainage Systems

Policy CDNP07: Retention of Existing Employment Sites and Use of Vernacular Buildings

Policy CDNP09: Protect and Enhance Biodiversity

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

DPS4: Flood Risk and Drainage

DPH12 - Accessibility

DPS2 - Sustainable Design and Construction

DPN6 - Pollution

DPN7- Noise Impacts

DPN8 - Light Impacts and Dark Skies

DPB1 - Character and Design

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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. Paragraphs 2, 8, 11, 39, 48, 85, 115-117, 131, 135 & 139.

The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- Principle
- Impact on Character and Design
- Impact on Neighbouring Amenities
- Highways Impact
- Flood Risk and Drainage
- Ecology
- Other Matters
- Biodiversity Net Gain

Principle

The application site is designated as being within the countryside within the countryside. Policy DP12 of the District Plan refers to the protection of the countryside and states (in part):

'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.'

Policy DP1 of the District Plan relates to sustainable economic development and seeks 'to promote a place which is attractive to a full range of businesses, and where local enterprise thrives, and to provide opportunities for people to live and work within their communities, reducing the need for commuting.' It also encourages 'high quality development of land and premises to meet the needs of 21st century businesses'.

Policy DP14 of the District Plan states that provided the proposed development does not conflict with DP12, new small scale economic development outside of built up area boundaries shall be permitted provided that:

- o it supports sustainable growth and the vitality of the rural economy; and
- o where possible, utilises previously developed sites.

Policy CDNP07 of the Neighbourhood Plan states among other matters that:

'New business development on land already in commercial use will be supported subject to the following criteria:

- d. the scale and nature of the proposals would not have significant harmful impact on the amenities of adjoining activities; and*
- e. the scale of the proposal is proportionate to the existing size of the building; and*
- f. the scale and nature of the proposals would not have unacceptable conflicts with agriculture and other land-use activities; and*
- g. the proposal would not have unacceptable impact on the local road network.'*

The proposed development would be sited within the existing envelope of the previously built-up site and would not constitute an isolated development within the countryside. The proposal would be developed in conjunction with the existing commercial operations on site. Therefore, the principle of a new commercial building in this located is considered to be acceptable. However, it is also necessary to consider other planning issues in order to determine the overall planning balance.

Impact on Character and Design

Policy DP26 of the 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:

- 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 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'*

Policy CDNP07 of the Neighbourhood Plan states among other matters that the scale of the proposal should be proportionate to the existing size of the building.

The proposed new building would be of an industrial size and scale and the proposed materials would likely give rise to a utilitarian appearance. It is considered that the proposed building would be viewed within the context of the existing commercial site and would likely reflect the current appearance of the industrial size buildings on site.

In view of the above, the proposal is considered to comply with Policy DP26 of the District Plan and Policy CDNP07 of the Crawley Down Neighbourhood Plan.

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 DP29);'*

Policy CDNP07 of the Neighbourhood Plan also states that development should not result in a significant harmful impact on the amenities of adjoining activities

Policy DP29 then relates to noise, air and light pollution:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- o It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- o If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- o an assessment of the impact of noise generated by a proposed development; or*
- o an assessment of the effect of noise by an existing noise source upon a proposed development;*

Light pollution:

- o The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- o The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;*

Air Pollution:

- o It does not cause unacceptable levels of air pollution;*
 - o Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
 - o Development proposals (where appropriate) are consistent with Air Quality Management Plans.*
- The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'*

The air quality element of policy DP29 has been superseded by policy SA38 in the Site Allocations DPD.

The proposed building would have a significant separation distance from the existing residential dwelling at Parkfields Farmhouse and would be sited in excess of circa 30m away.

Accordingly, the proposal is considered to comply with the provisions of policies DP26 and DP29 of the Mid Sussex District Plan and policy SA38 in the in Site Allocations DPD terms of neighbouring amenities.

Highways Impact

Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on

the road network would be severe. Additionally, Policy DP21 of the District Plan requires development proposals to protect the safety of road users and pedestrians.

The Local Highway Authority was consulted in response to the proposed development and raised no objection towards the scheme. It was noted that the proposal was not expected to result in a significant increase in traffic and the 21 car parking spaces would be sufficient.

In light of the above, the proposal is considered to comply with the provisions of DP21 of the District Plan.

Flood Risk and Drainage

Policy DP41 of the District Plan notes that:

'Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.'

In response to the proposed development, the Council's Drainage Engineer raised no objection towards the proposed development. It was noted that the details of the foul and surface water drainage would be acceptable subject to detail. Accordingly, a pre-commencement condition was suggested that would require these details. This has been agreed with the Applicant prior to the determination of the application and such a condition is considered to be necessary and relevant.

The proposed development is considered to comply with policy DP41 of the District Plan.

Ecology

Policy DP38 of the District Plan seeks to protect and enhance biodiversity by ensuring that development:

'Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments; and
o Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances); and
o Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience; and
o Promotes the restoration, management and expansion of priority habitats in the District; and
o Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.'

Furthermore, Policy CDNP09 of the Neighbourhood Plan notes:

'Proposals for new residential, employment and retail development will be expected to protect and enhance biodiversity and wildlife. In particular planning applications for these proposals will be assessed against the following criteria:

- a. The safeguarding or protection of designated sites, protected species, ancient or species rich hedgerows, shaws, grasslands and woodlands;*
- b. The provision of appropriate buffer zones around designated sites or features and/or the implementation of appropriate mitigation features.*
- c. The safeguarding and preservation of ecological networks*
- d. The protection of trees of arboricultural or amenity value*
- e. The appropriate planting of new native trees and hedges'*

Following consultation with the Council's Ecology consultant, no objection was raised towards the development proposal. It was noted within the response that the submitted Ecological Review considered that there were no buildings on site and no trees that have potential roost features for bats. It was therefore agreed that no further bat surveys would be required.

A pre-occupancy wildlife sensitive lighting scheme was suggested as a condition by the Ecologist Consultant. However, the site is not located within a protected dark skies area and this condition is not considered to be relevant or necessary. The other pre-slab level condition requiring a biodiversity enhancement strategy. This is considered to be necessary provided the scale of the development proposal.

Accordingly, the proposal is considered to comply with Policy DP38 of the District Plan.

Other Matters

The Council's District License Consultant commented that the proposal would present a low risk to great crested newts and/ or their habitats. However, an informative was still recommended reminding the Applicant that newts are a protected species. It was also noted that all vegetation would need to be maintained at a maximum height of 30mm until construction to discourage great crested newts from using the site.

A number of pre-commencement conditions were suggested in response to the proposed development following a consultation with the Fire and Rescue Service. The conditions would have required details of the location of a fire hydrant. This matter is considered to be covered under the Building Regulations Approved Document B, Volume 2 and would not be required at the planning stage of the development.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10 per cent increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity net gain condition is set out in the Town and Country Planning Act 1990, Schedule 7A, Part 2, 13 (2). It states:

'The condition is that the development may not be begun unless -

- (a) A biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*
- (b) The planning authority has approved the plan (see paragraph 15)'*

The application form confirms that BNG is required for the proposed development.

The application is accompanied by a preliminary ecological appraisal, the BNG metric, BNG review. It was commented in the Ecological Consultants response that the application provided a satisfactory level of information with the regard to these matters at the application stage.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the Crawley Down Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

The proposed development is considered acceptable in terms of exterior design within the surrounding context and the amenities of the neighbouring occupiers. The proposal therefore accords with Policies DP1, DP12, DP14, DP21, DP26, DP28, DP29, DP38, DP39 and DP41 of the Mid Sussex District Plan, Policies CDNP06, CDNP07 and CDNP09 of the Crawley Down Neighbourhood Plan and the relevant paragraphs of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas