

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2926	Case Officer:	Peter Davies
Application Type:	Householder Application		
Proposal:	Single storey side extension		
Site:	3 Fen Place Cottages, East Street, Turners Hill, Crawley, West Sussex, RH10 4QA, ,		
Validation Date	3 Dec 2024	Overall Expiry Date:	14 Jan 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 Jan 2025
Target Date:	28 Jan 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 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2926

**3 Fen Place Cottages, East Street, Turners Hill, Crawley, West Sussex, RH10 4QA,
Single storey side extension
Mr Peter Chaning-Pearce**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water - no objection

PARISH COUNCIL OBSERVATIONS

None received.

INTRODUCTION

The application seeks planning permission for the construction of a single storey side extension to replace an existing conservatory.

RELEVANT PLANNING HISTORY

No relevant history.

SITE AND SURROUNDINGS

The application property is a semi-detached two storey dwelling with a pitched roof. The dwelling is constructed from brick with plain roof tiles and uPVC fenestration. The Dwelling has an existing conservatory on the side elevation.

To the south of the site is the highway with fields and woodland beyond, to the close west and north are dwellings of varying scale and design. Further north are some warehouse units. To the east lies a pottery business within multiple buildings.

The site is located within the countryside.

APPLICATION DETAILS

The proposed single storey side extension is to be located on the east side of the dwelling. the extension will replace an existing conservatory which is to be removed and will have footprint slightly larger than existing. The extension will have a width and depth of 2.80 metres and 4.85 metres. The extension will have a pitched roof with 2 no. roof lights on both the front and rear roof slopes. The eaves height will be 2.50 metres with an overall height of 3.50 metres.

The extension will be constructed from materials to match the existing dwelling.

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 Turners Hill 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

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.

Turners Hill Neighbourhood Plan (made March 2016)

Relevant policies:

THP7 - Building Extensions and Infill Development
THP8 - Countryside Protection

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 the majority of 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
DPC1 - Protection and Enhancement of the Countryside
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;

- Protection and Enhancement of the Countryside
- Character and Design
- Impact on neighbouring properties
- Biodiversity Net Gain
- Other Matters

Protection and Enhancement of the Countryside

DP12 of the Mid Sussex District Plan in part 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.'*

Policy THP8 of the Turners Hill Neighbourhood Plan states:

'Outside the Built up Area Boundary (which is shown on the proposals map on page 24), priority will be given to protecting and enhancing the countryside from inappropriate development. A proposal for development will only be permitted where:

- a) It is allocated for development in Policy THP1 or would be in accordance with Policies THP7 and THP14 of this Plan or other relevant planning policies applying to the area; and:*
- b) It must not have a detrimental impact on, and would enhance, areas of substantial landscape value or sensitivity, and*
- c) It must not have an adverse impact on the landscape setting of Turners Hill and*
- d) It must maintain the distinctive views of the surrounding countryside from public vantage points within, and adjacent to, the built up area; and*
- e) Within the High Weald Area of Outstanding Natural Beauty it must conserve and enhance the natural beauty and would have regard to the High Weald AONB Management Plan.*
- f) It is essential to meet specific necessary utility infrastructure needs and no alternative feasible site is available.*

Our Strategic Gaps are identified in MSDC Local Plan policy C2 and the High Weald Area of Outstanding Natural Beauty by Local Plan policy C4.

Policies in the emerging District Plan will provide protection and enhancement in relation to trees, woodland and hedgerows as well as biodiversity.'

Given the domestic nature of the proposal, it is therefore considered to protect the intrinsic character and beauty of the countryside.

Due to the above, the proposal complies with DP12 of the Mid Sussex District Plan.

Character and Design

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 THP7 of the Turners Hill Neighbourhood Plan states:

'Building Extensions & Infill Development Building extensions and infill development which require planning permission will be permitted where they meet the following criteria:

- a) *The scale, height and form fit unobtrusively with the surrounding buildings and the character of the street scene taking into account the guidance of the adopted Village Design Statement.*
- b) *The development is designed to preserve or better reveal the features that contribute to any significance of the building or surrounding area as a heritage asset, including listed buildings, the Turners Hill Conservation Area or non-designated heritage assets.*
- c) *Spacing between buildings would respect the character of the street scene.*
- d) *Gaps which provide views out of the village to surrounding countryside are maintained.*
- e) *Materials are compatible with the materials of the existing building where applicable, and adjoining properties in all circumstances.*
- f) *The traditional boundary treatment of an area is retained and, where feasible, reinforced and*
- g) *The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded'.*

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; *'Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.*

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

The proposed side extension will be partially visible from street scene using materials to match the existing dwelling. The design, size and scale is appropriate to the existing dwelling and character of the area. The proposal therefore is considered to be in keeping the existing dwelling. The proposed complies with DP26 of the Mid Sussex District Plan, THP7 of the Turners Hill Neighbourhood Plan and MSDC Design Guide SPD.

Impact on neighbouring properties

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

The threshold for the related policy within the Turners Hill Neighbourhood Plan THP7 states that *'The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded'*.

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 Mid Sussex District Plan 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 application property boundary is marked by close boarded fencing. The proposed extension is single storey replacing an existing conservatory and create no additional overlooking into 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 THP7 of the Turners Hill 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.

Other Matters

Southern Water have provided comments on the proposal and state that any new connection would require a new sewer connection application to be submitted and approved by Southern Water.

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 policies DP12 and DP26, policies THP7 and THP8 of the Turners Hill 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