

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2165	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Retrospective application for a red brick dwarf wall to the front boundary.		
Site:	26 Tiltwood Drive, Crawley Down, Crawley, West Sussex, RH10 4PH, , ,		
Validation Date	9 Sep 2025	Overall Expiry Date:	1 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Refusal	Recommendation Date:	4 Nov 2025
Target Date:	4 Nov 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	5 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2165

**26 Tiltwood Drive, Crawley Down, Crawley, West Sussex, RH10 4PH, ,
Retrospective application for a red brick dwarf wall to the front boundary.
Mrs Elizabeth Duncan**

SUMMARY OF REPRESENTATIONS

1 Representation Letter was received in support of the application

SUMMARY OF CONSULTEES

None

TOWN/PARISH COUNCIL OBSERVATIONS

Worth Parish Council defer to officer noting previous covenants on site.

INTRODUCTION

The application seeks retrospective planning permission for a brick wall that has been erected on the front boundary of the property.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The site comprises a two storey detached 'georgian-style' dwelling on Tiltwood Drive. To the front of the house is a driveway that could accommodate 2 cars. There is an attached single storey garage to the side of the property.

The wider surrounding area is one of similar properties in terms of design, scale and style.

APPLICATION DETAILS

The application seeks retrospective planning permission for a brick wall with a height of approximately 0.9 metres that has been erected on the front boundary of the property. At either end of the wall are two piers, one of which measures 1.25 metres in height, whilst the other one measures 1.1metres in height, to accommodate for the slope of the pavement.

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:

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

Crawley Down Neighbourhood Plan made in 2016

There are no relevant policies.

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

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)

The National Planning Policy Framework (NPPF) 2021 is also a material consideration considered to be relevant to this application.

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

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."*

The frontages of dwellings within the vicinity of the application site are characterised, with front garden boundaries either having mostly no formal demarcation, or low level hedging, creating a green and verdant streetscene. Condition 10 of Planning Permission F/72/538 and F/72/539, which relates to the original development, states that:

'10. Notwithstanding the provisions of the Town and Country Planning General Development Order 1963:

- (a) No garage shall be erected on the sites without prior approval of detailed particulars thereof by the Local Planning Authority.*
- (b) No building as defined in section 290 of the Town and Country Act 1971, gates, fences, walls or other means of enclosure (except such as may be specifically permitted under any other condition of this permission) shall be erected between the front, main or side wall of any dwelling without prior approval by the Local Planning Authority.'*

Partly enclosing the front space of the application property with a wall has removed the open and green character to this part of the streetscene. In contrast to the low and green boundaries and open frontages in the vicinity, the wall is a stark and highly visible feature, which appears as an incongruous feature of development. As a result, the wall is visually harmful to the open character and appearance of this area.

The applicant has submitted other examples of front boundary treatments, including a post and rail fence in one particular example at no 30 Tiltwood Drive, and the high hedging along the boundary of no 29 Tiltwood Drive. With regards to 30 Tiltwood Drive, the post and rail fence erected does not have planning permission, however it retains the open character of this part of the streetscene and would be deemed to be lawful by the passage of time that it has been in place. The high hedging along the boundary of 29 Tiltwood Drive consists of separate tall hedge structures with gaps in between retaining a semi-open character. It should also be noted that the planting of a hedge is not development, so therefore falls outside the control of planning. Neither of these examples are therefore directly comparable to the brick wall which is the subject of this application. The other brick walls that have been mentioned in this application are not positioned at the front boundary of the properties or are part of the original development and are therefore not relevant in the consideration of this application.

The wall is therefore considered to be in conflict with policy DP26 of the Mid Sussex District Plan and, the Mid Sussex Design Guide SPD and the NPPF.

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);'

The wall is located some distance away from the neighbouring dwellinghouses and as such it can be reasonably considered that it would not cause significant harm to the amenities of neighbours in terms of impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution. Therefore, the wall is considered to comply with the policy DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide SPD in terms of impact on neighbouring amenity.

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

Due to its size, design and appearance, the wall constitutes a stark feature which is out of keeping with the character of the area and has a detrimental effect upon the street scene. Sited along the front boundary of the dwelling, adjacent to the public highway, it is considered an incongruent feature which negatively impacts upon the appearance of the area as well as causing harm to its distinctive character.

The wall is therefore considered to be in conflict with policy DP26 of the Mid Sussex District Plan, the Mid Sussex Design Guide SPD and the NPPF. Therefore, the application is recommended for refusal.

Decision: Refusal

Case Officer: Tracie Axford