

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2590	Case Officer:	Tanya Leete
Application Type:	Full Application		
Proposal:	Retrospective application for erection of storage outbuilding.		
Site:	Kwik Mart, 6 Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QX, ,		
Validation Date	29 Nov 2024	Overall Expiry Date:	26 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Jan 2025
Target Date:	24 Jan 2025	Recommending Officer Signature:	Tanya Leete

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
---	--	------------------------	---

Signed and Agreed By:	Stephen Ashdown	Date:	6 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2590

**Kwik Mart, 6 Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QX,
Retrospective application for erection of storage outbuilding.
Mrs Sivapiriya Davidsripala**

SUMMARY OF REPRESENTATIONS

A letter of representation has been received from 2 Meadow Approach, Copthorne, supporting the application, the shop has more stock available, helping the community.

SUMMARY OF CONSULTEES

None received

TOWN/PARISH COUNCIL OBSERVATIONS

Defer to Officer

INTRODUCTION

Retrospective application for erection of storage outbuilding.

RELEVANT PLANNING HISTORY

WP/055/98 - Brick up windows to side. Erect external escape stair. Site air conditioning units to rear. Part change of use residential to retail. Permission

SITE AND SURROUNDINGS

6 Copthorne Bank is a two-storey semi-detached mixed commercial and residential property, within the built-up area of Copthorne.

The existing property is characterised by brown brickwork, brown clay roof tiles and uPVC windows and a large, glazed shopfront.

To the eastern side of the property is a close boarded fence, which runs along Meadow Approach, to the rear of the extension.

APPLICATION DETAILS

Planning permission is retrospectively sought for erection of storage outbuilding to the eastern side of the property.

The storage outbuilding measures 2.5m high, 4.1m depth and 6.8m length, and provides approximately 25 square meters additional storage space to shop. The building has a flat roof with cream render, and access doors internally to the shop and one externally.

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 Copthorne 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.

Copthorne Neighbourhood Plan

The Copthorne Neighbourhood Plan was formally made by the Council on 29th September 2021.

Relevant policies:

CNP1.1 - Design and Character

CNP1.2 - Neighbouring Amenities

CNP1.6 - Residential Extensions

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation 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:

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) 2024 is a material consideration. Paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

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:

- *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."*

A similar ethos is contained within the Mid Sussex Design Guide SPD.

Policy CNP1 of the Neighbourhood Plan states (in part):

'CNP1.1

Proposals will be supported where they sustain or reinforce the positive aspects that make up the individual character and distinctiveness of each Character Area, as defined on the Policies Map, in which they sit.

CNP1.6

Extensions to existing buildings will be supported provided they adhere to other policies in the development plan and:

- a) *Are no higher than the existing building.*
- b) *Do not conflict with traditional boundary treatment of an area.*
- c) *Use materials which 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 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

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 side extension whilst an enlargement on the existing shop, it is set back and subservient to the property. The close boarded fencing to the front and side of the extension minimises the visual impact on the street scene. The proposal therefore complies with policy DP26 of the Mid Sussex District Plan, policy CNP1 of the Copthorne Neighbourhood Plan and principles DG49-DG51 of the Mid Sussex Design Guide.

Neighbouring Amenities

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.

Policy CNP1.2 of the Copthorne Neighbourhood Plan states:

'Proposals for new development should not cause unacceptable harm to the amenity (including general activity, access, noise, privacy, daylight, and sunlight) of existing and future occupants, both on site and nearby.'

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 CNP1.2 of the Copthorne Neighbourhood Plan is considered to take precedence and therefore the test in this instance is whether the development causes unacceptable harm to neighbouring amenities as outlined above.

Principle DG47 of the Mid Sussex Design Guide SPD relates to neighbouring amenities in terms of light and states:

'All dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards'.

Given the nature of the proposal, and its location relative to the neighbouring properties, it is considered that no unacceptable harm to the amenities of neighbours will arise from loss of privacy, overbearing impact or loss of daylight or sunlight.

Therefore, in terms of neighbouring amenities, the proposal complies with DP26 of the Mid Sussex District Plan and policy CNP1.2 of the Copthorne 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. As a retrospective 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 property and locality and would not cause unacceptable harm to the amenities of neighbouring properties. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan, policies CNP1.1, CN1.2 and CNP1.6 of the Copthorne Neighbourhood Plan, Mid Sussex Design Guide SPD and the requirements of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Tanya Leete