

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0666	Case Officer:	Stefan Galyas
Application Type:	Full Application		
Proposal:	Change of use from a single dwellinghouse to a pair of semi-detached dwellinghouses. Conversion of rear outbuilding and main house loft space to habitable accommodation. Demolition of rear store building and rear garage. First floor side extension and remodelling of roofs		
Site:	Claremont, Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QZ, ,		
Validation Date	22 Sep 2025	Overall Expiry Date:	21 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	30 Oct 2025
Target Date:	17 Nov 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
--	--	-------------------------------	---

Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	31 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0666

**Claremont, Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QZ,
Change of use from a single dwellinghouse to a pair of semi-detached dwellinghouses.
Conversion of rear outbuilding and main house loft space to habitable accommodation.
Demolition of rear store building and rear garage. First floor side extension and remodelling of
roofs
Mr Vic Saunders**

SUMMARY OF REPRESENTATIONS

There were two letters of representation received in response to the proposed development. Both letters sought to support the proposal and noted that the proposal would improve the properties appearance and enhance the neighbourhood.

SUMMARY OF CONSULTEES

Ecology Consultant: No objection.

West Sussex County Council Highways: *'The Local Highways Authority (LHA) do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114-117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.'*

Conservation Officer: *'Claremont is an unlisted detached house and former shop located within the historic core of Copthorne village (as identified in the Copthorne Neighbourhood Plan (CNP)). The CNP also identifies the building, which dates from 1905 and was formerly the village butchers, as a Parish Heritage Asset. Given this, the relatively early date of construction (in the local context), surviving character, and communal value of the building, I would consider that it should be regarded as a Non-Designated Heritage Asset (NDHA) of a mid-level of interest within the local context.'*

The revised plans submitted with respect to the above site show the hedging revised to mixed native species as suggested. The detail of the proposed rooflight has also been confirmed and is acceptable, which removes the need for the previously suggested condition.'

TOWN/PARISH COUNCIL OBSERVATIONS

Parish Council: Defer to Officer.

INTRODUCTION

The application seeks planning permission for a change of use involving an existing single dwellinghouse which would be converted into a pair of semis. The existing rear outbuilding and loft space to the existing dwelling would be converted into habitable accommodation. The existing rear store and garage outbuilding would be demolished, and a first-floor side extension would be developed as well as the remodelling of the other side elevation roof. Two pitched dormers would be added to the rear as well as a new rooflight.

RELEVANT PLANNING HISTORY

There is no recent planning history relating to the site.

SITE AND SURROUNDINGS

The application relates to the site at Claremont, a two storey detached dwelling which is set to the northern side of the highway and to the eastern corner of the junction between Copthorne Bank to the south and Charlwood Close to the west. The dwelling was formerly a village butchers and dates from 1905 and features a pitched roof with clay cresting to the ridge to the main element, whilst the dwelling has previously been extended in varying formats to both its side and rear elevations. There is an existing single storey timber built outbuilding to the rear of the site and the site abuts the Copthorne Bank Playground to its eastern boundary. The existing dwelling is composed of brown facing brickwork walls with red brick quoins and detailing, plain clay roof tiles to the original dwelling and felt waterproofing to the flat roofs, white painted timber sash windows, single glazed and uPVC casement windows and white painted timber doors.

With regard to the sites locality, there is a mix of both semi detached and detached dwellings with external facing brickwork constituting the predominant building material. A number of shops, services and vendors can be found within the sites vicinity along Copthorne Bank with the built form intermittently being broken up by the nearby Copthorne Bank Playground.

The site is located within the built-up area for Copthorne as defined in the District Plan (DP). The area is also subject to an Article 4 Direction which restricts the use of land for the purpose of parking, storage, warehousing, cleaning, maintenance or repair of motor vehicles and the erection or placing of moveable structures on the land. The property is also identified being a non-designated heritage asset.

APPLICATION DETAILS

The proposal would convert the existing dwelling into a pair of semis and would develop a first-floor side (western) elevation extension which would use a pitched roof design. The extension would measure at approximately 6.1m in length, 3.8m wide, 6.1m high to the eaves and 9.1m high to the ridge. The extension would use matching brown facing brick with red brick features, matching plain clay tiles and white uPVC sash windows.

The proposal would also alter the existing side (eastern) elements lean to roof into a pitched roof. The new eaves height would measure at around 3.4m and a ridge height of 6.7m. The extension would use matching brown facing brickwork with red brick features and matching plain clay roof tiles.

To the rear of the property, the existing store building would be removed with a new single storey cross pitched roof extension. This will be linked to the main element of the dwelling by a single storey flat roof. A new bike store would also be constructed and would adjoin the rear extension. In terms of measurements, the rear extension would measure at approximately 6m in maximum length, 9.8m wide, 2.7m high to the eaves and 3.8m high to the ridge. The rear extensions would be constructed of matching brown facing brickwork with red brick features, plain clay roof tiles, flat roof felt waterproofing to the flat roof, white uPVC sash or casement windows with double glazing and white traditional uPVC double glazed doors.

There would be two rear dormers developed as part of the development proposal which would use a pitched design. Each of the dormers would measure at circa 1.4m in length, 1.3m wide, 1.1m high to the eaves and 2m high to the ridge. The existing butchers shop window to the front elevation would be re-instated in a sash style with the low brick wall beneath to be tiled.

The proposal would also utilise a new painted hardwood front door, utilise timber painted eaves in a white finish and use black heritage cast iron rainwater goods. Further hard and soft landscaping works would be carried out including the planting of native species to the boundary and the laying of a new patio.

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, and*
- b) Any 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 Copthorne Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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:

DP4: Housing

DP5: Planning to Meet Future Housing Need

DP6: Settlement Hierarchy

DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

DP21: Transport

DP26: Character and Design

DP27: Dwelling Space Standards

DP28: Accessibility

DP29: Noise, Air and Light Pollution

DP34: Listed Buildings and Other Heritage Assets

DP38: Biodiversity

DP39: Sustainable Design and Construction

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.

Neighbourhood Plan

Copthorne Neighbourhood Plan (Made June 2021)

The Relevant Policies:

CNP1.1 Character and Distinctiveness

CNP1.2 Local Amenities
CNP1.6 Household Extensions
CNP2.1 Redevelopment and Infill Development
CNP7 Parish Heritage Assets
CNP11 Historic Core
CNP14 Sustainable Transport
CNP15 Car Parking

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 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
DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPC6 - Ashdown Forest SPA and SAC
DPH12 - Accessibility
DPN6 - Pollution
DPN7 - Noise Impact
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets
DPT4 - Parking and Electric Vehicle Charging Infrastructure
DPH1 - Housing
DPH3 - Sustainable Development Inside the Built-Up Area
DPH11 - Dwelling Space Standards

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, 9, 11, 12, 39, 48, 78, 114-117, 131, 135, 139, 207, 208, 209, 210, 212-215, 216, 219 & 220.

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 overarching objectives to sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are economic, social and environmental.

Paragraph 9 of the NPPF states *'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an*

active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'

Paragraph 11 of the NPPF sets out that for both plan-making and decision-taking, the presumption in favour of sustainable development should apply.

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.

Technical Housing Standards

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, Including Heritage Assets
- Impact on Neighbouring Amenities
- Highways Impact
- Impact on Future Occupants of the Development
- Sustainability
- Ashdown Forest
- Ecology
- Biodiversity Net Gain
- Planning Balance and Conclusion

Principle

Using this as the starting point the development plan in Mid Sussex consists of the adopted District Plan, Site Allocation DPD, and Copthorne Neighbourhood Plan.

As the proposed development is within the built up area of Copthorne, a Category 2 settlement, the principle of additional windfall housing development is acceptable under Policy DP6 of the District Plan which states:

'Development will be permitted within towns and villages with defined built-up area boundaries. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement.'

Policy CNP2 of the Copthorne Neighbourhood Plan states:

'Proposals for redevelopment and infill development within the defined built-up area will be supported subject to the following criteria:

- (a) The new development will not appear incongruous with the existing character and/or street scene, ensuring the proposed materials, plot size, boundary treatment, built form, building line and gaps between buildings is like those around it.*
- (b) Suitable access and on-site parking are provided without causing unacceptable harm to neighbouring properties, pavements, pathways, footpaths, cycle paths, bridleways, established tracks, twittens, and other Rights of Way.*
- (c) The new development will not cause unacceptable harm to the amenity of existing and future occupants, both on site and nearby by way of general activity, access, noise, privacy, dominance, daylight and sunlight'*

The principle of changing a single dwelling into a pair of semi-detached dwellings within a defined settlement boundary is considered to be acceptable in principle, owing to the site's sustainable location. It is however also necessary to consider other planning issues in order to determine the overall planning balance.

Impact on Character and Design, Including Heritage Assets

Policy DP34 of the District Plan states among other matters that:

'Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

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'*

Paragraph 216 of the NPPF notes:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy CNP1 of the Copthorne Neighbourhood Plans states that:

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.*

With regard to Parish Heritage Assets, Policy CNP7 of the Copthorne Neighbourhood Plan notes:

CNP7.1 Development proposals will be supported where they protect and, where practicable, enhance Parish Heritage Assets as identified on the Neighbourhood Plan Policies Map. The Parish Heritage Assets are [... Claremont (former butcher's shop).

CNP7.2 The effect of a development proposal on the significance of a Parish Heritage Asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect a Parish Heritage Asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the Asset concerned.

Policy CNP11 of the Copthorne Neighbourhood Plan states under CNP11.1 that:

As appropriate to their scale and nature development proposals within the defined Character Area 4 - The Historic Core (as shown on the Policies Map) should deliver high quality development which takes account of their immediate locality. In particular development proposals should sustain and where practicable reinforce the positive aspects of the character area and respond positively to the identified sensitivity to change matters included in sections 4.8 and 4.9 of the Copthorne Heritage and Character Assessment (May 2019).

Claremont, whilst undesignated is considered to possess historical and communal value within the local context.

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 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

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.

In terms of rear extensions, principle DG51 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 National Design Guide (2021) states in Paragraph 44 that:

"to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character." It adds that

"well-designed places and buildings are influenced positively by:

- o The history and heritage of the site, its surroundings and the wider area, including cultural influences;*
- o The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;*
- o The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details"* (Paragraph 46).

The proposed development would extend the existing building at first floor level to its side (western) elevation and would follow a pitched roof form. The extension would be offset from the original buildings ridge by approximately 0.8m which is considered to ensure that the extension is read as subsidiary to the main dwelling. The extension is considered to assimilate further towards the main dwelling through the use of matching brickwork with red brick detailing. As such, it is not considered that the extension would appear overly incongruous within the context of the site.

To the rear elevation, the existing store building would be demolished, and the building would be extended to the rear through a pitched roof addition which would be linked to the original building by an area of flat roof. The existing extensions and outbuildings to the rear of the existing are considered to be of limited architectural merit and the alterations to this elevation are not considered to be contentious.

In relation to the side (east) elevation the extension to replace the existing flat roof with a pitch roof is considered to be on balance a design improvement on balance. The existing expanse of flat roof is considered to be of limited architectural merit and the proposed extension would still appear subservient towards the main building and would maintain a one and a half storey size and scale.

A metal framed conservation rooflight would be added to the rear roof pitch of the side (eastern) element. Details have been submitted showing that the rooflight would be of a metal framed, conservation style design. This would likely sit flush with the proposed roof slope and was found to be acceptable by the Conservation Officer following consultation.

The original shop sash style window to the principal elevation would retain features that serve value to the overall appearance of the dwelling. The overhanging canopy roof, the reinstatement of a tiled stallriser and reinstatement of a sash window are considered to help preserve the character of the building, subject to detail.

Two dormer windows would be added to the buildings rear (north) elevation and would use a pitched roof design. These dormers are considered to be of a limited size and scale and would sit in line with one another, giving rise to a uniform appearance. Owing to the limited size and scale, the dormers are considered to appear visually subservient towards the existing roof slope.

Further details have been provided with regards to the proposed soft landscaping on site. These alterations would primarily be carried out to the site's boundaries with mixed native species used such as Hawthorn, Blackthorn,

Field Maple and Hazel. Moreover, detail was provided with regard to the hard landscaping proposed on site which would include the use of Marshalls Conservation permeable paving blocks. Two planters would also be positioned to the front of the site. These details were considered to be acceptable by the Conservation Officer and sufficient to overcome the requirement for a pre-commencement condition.

In view of the above, the proposal is considered to comply with Policies DP26 and DP34 of the District Plan and Policies CNP1, CNP7 and CNP11 of the Copthorne Neighbourhood Plan, the relevant principles of the Mid Sussex design Guide and the NPPF.

Impact on Neighbouring Amenities

Policy CNP1.2 of the Copthorne Neighbourhood Plan states that proposals should not cause 'unacceptable harm' to 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 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.

The proposed rear (north) dormers at attic level and first floor window to the rear would face out towards the side elevation of neighbouring dwelling at 4 Charlwood Close. It is noted that there are no existing side (south) elevation windows which would face back towards the application property at No.4. With regard to the proposed rooflight at to the rear roof slope of the eastern element, this is considered to serve light rather than provide outlook. It is therefore not considered that the proposed new windows would give rise to an unacceptable overlooking impact.

Whilst the proposed extensions would increase the overall footprint of the building, it is considered that there is a substantial offset in excess of 12m from the neighbouring dwellings to the west and north. To this end, it is not considered that the proposed development would give rise to a significant overbearing impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 of the Mid Sussex District Plan and Policy CNP1.2 of the Copthorne Neighbourhood Plan in terms of neighbouring amenities.

Highways

Policy DP21 of the Mid Sussex District Plan in part states:

"The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;"

CNP14 of the Copthorne Neighbourhood Plan among other matters requires new development proposals to demonstrate that adequate sustainable transport links exist. Moreover, Policy CNP15 of the Neighbourhood Plan requires new developments to include sufficient off road parking to meet the criteria of the WSCC guidance or with the provisions as set out within the Neighbourhood Plan.

The dwelling to the west side of the pair of semis would have four bedrooms whilst the dwelling to the east would have three. As per the WSCC guidance, three off road parking spaces would be required for a four bed dwelling whilst 2 spaces would be needed for a three bed. The Highways Engineer upon consultation noted that the driveway would likely provide sufficient space to meet this requirement.

It was also noted within the Highways Engineer's response that cycle parking provision has been demonstrated within the submitted Sustainability Statement and proposed floor plans. It is therefore not considered necessary

to impose a pre-occupancy condition to ensure this cycle storage is provided as this detail has been included on the proposed drawings. This also applied for the proposed off road parking spaces which can be secured through compliance with approved plans, should permission be granted.

Accordingly, the proposal is considered to result in an acceptable highways impact and would meet the provisions of DP21 of the District Plan as well as CNP14 and 15 of the Copthorne Neighbourhood Plan.

Impact on Future Occupants of the Development

Policy DP27 of the District Plan states that all new residential development should comply with minimum nationally described space standards for internal floor space and storage.

Starting with the proposed four bed dwelling on the western side of the pair, a minimum floor area of 121 square meters plus 3.0 square meters of built-in storage is recommended for a three storey, four-bedroom dwelling that can accommodate seven people. The approximate total floor space would meet this requirement, measuring at circa 145 square meters in gross internal floor space.

The proposed dwelling to the eastern side of the pair, a total of 108 square meters plus 2.5 square meters of built-in storage is recommended for a three storey, three-bedroom dwelling that can accommodate six people. The approximate total floor space would measure at 120 square meters in gross internal floor space and therefore comply with these space standards.

It is therefore considered that the proposal would comply with the provisions of DP27 of the District Plan and the Technical Housing Standards.

Sustainability

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation,*
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible,*
- Use renewable sources of energy,*
- Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation,*
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment,*
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

The application is supported by a Sustainability Statement which identifies a number of measures through a sustainability strategy. The proposal would ensure that the building is thermally efficient, that water efficient fixtures would be installed and the recycling of materials will be encouraged through the construction phase.

Accordingly, it is considered that the proposed development will be compliant with Policy DP39 of the District Plan.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council - has a duty to satisfy itself that any plans or projects that they

regulate (including plan making and determining planning applications) are not likely to have a significant effect on a European site of nature conservation importance. For most developments in Mid Sussex, the European sites of focus are the Ashdown Forest Special Protection Area (SPA) and Ashdown Forest Special Area of Conservation (SAC). Planning permission cannot be granted by the District Council where the likelihood of significant effects exists. The main issues are recreational disturbance on the SPA and atmospheric pollution on the SAC, particularly arising from traffic emissions.

The application site is outside of the 7km zone of influence and thus there would be no effect on the SPA from recreational disturbance.

Increased traffic emissions as a consequence of new development may result in atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The proposed development was modelled in the Mid Sussex Transport Study (Updated Transport Analysis) as a windfall scheme such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Ecology

Policy DP38 of the District Plan states that:

'Biodiversity will be protected and enhanced by ensuring development:

- o 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.'

Details and mitigation measures have been identified within the submitted Planimetry Roost Assessment prior to the applications determination. However, it has been recommended by the Ecologist Consultant that adherence to this document should be condition as well as details of a biodiversity enhancement strategy. Provided that the Preliminary Roost Assessment did not identify any bats and low levels of bat activity was recorded in adjacent sites. Accordingly, a condition requiring a biodiversity enhancement strategy is not considered necessary in this instance.

Accordingly, the proposal is considered to have an acceptable impact with regards to ecological matters and meet the provisions of DP38 of the District 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. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

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 Copthorne Neighbourhood Plan.

National planning policy states that planning should be genuinely plan-led. Planning decisions should therefore be in accordance with the development plan unless material considerations indicate otherwise.

Weighing in favour of the scheme is that the development will provide 1 additional unrestricted residential unit where an existing residential use exists within the settlement boundary of a Category 2 settlement as defined by the District Plan. The proposal is also considered to provide benefits through the standard of accommodation, which is in exceedance for a three storey, four-bedroom and three bedroom dwelling that can accommodate seven people and six people.

The Council has performed excellently in respect of the Housing Delivery Test, a new standard method formula was published alongside the NPPF which gives Mid Sussex a significantly higher housing requirement than the current District Plan. As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF. Given this shortcoming in meeting the five year housing supply target, the addition of a new dwelling is considered to help contribute an additional site, albeit making a marginal contribution. This contribution nonetheless is considered to weigh in favour of the development proposal.

The proposal is considered to have a neutral impact in respect to a number of issues such as design, neighbouring amenity, highways, ecology, sustainability and the impact upon the Ashdown Forest SAC.

For the reasons set out within the assessment section, it is considered that the application complies with Policies DP4, DP5, DP6, DP17, DP21, DP26, DP27, DP28, DP29, DP34, DP38 and DP41 of the Mid Sussex District Plan and Policies CNP1.1, CNP1.2, CNP1.6, CNP.2.1, CNP7, CNP11, CNP14 and CNP15 of the Copthorne Neighbourhood Plan, the Mid Sussex Design Guide SPD, the West Sussex County Council's Guidance on Parking at New Development, the National Planning Policy Framework and the Technical Housing Standards.

Decision: Permission

Case Officer: Stefan Galyas