

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1683	Case Officer:	Anna Tidey
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition no 2 relating to planning application DM/26/0542 - to allow for design changes		
Site:	12 Heather Close, Copthorne, Crawley, West Sussex, RH10 3PZ, , ,		
Validation Date	14 Jul 2026	Overall Expiry Date:	25 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	29 Sep 2026
Target Date:	8 Sep 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	30 Sep 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1683

**12 Heather Close, Copthorne, Crawley, West Sussex, RH10 3PZ, ,
Variation of condition no 2 relating to planning application DM/26/0542 - to allow for design
changes
Mrs Claire Harris**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None.

PARISH COUNCIL OBSERVATIONS

Worth Parish Council: Supports this application.

INTRODUCTION

This application seeks planning permission to vary condition 2 of planning application DM/26/0542 to allow for design changes to the approved porch addition.

The design changes are the enlargement of the porch in width from the approved plans. The Amended Plans show the width of the porch to be increased by 0.4m, from 2.8m to 3.2m wide. The angle of the roof is maintained at 22 degrees, with the eaves and ridge level remaining at 2.3m and 3.6m in height, to correspond to the details shown on the approved plans for DM/26/0542.

RELEVANT PLANNING HISTORY

DM/26/0542. Full demolition and construction of a new front porch and internal toilet area. Approved April 2026.

SITE AND SURROUNDINGS

No 12 Heather Close is an end of terrace house located off Church Lane within the built up area of Copthorne.

The property is located in an established close of older style properties, many of which have been extended with porch additions. No 12 has a rear single storey sunroom addition.

The property is constructed with brick walls with first floor tile hanging and white UPVC windows. The roof is finished with a concrete rolled tile.

The property is within Green and Amber Impact Risk Zones for Great Crested Newts.

APPLICATION DETAILS

The current application has been submitted under Section 73 of the Town and Country Planning Act and seeks permission to vary Condition 2 of planning application DM/26/0542, which reads as follows:

'Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.'

Planning permission was granted under application DM/26/0542 for a new single storey front porch. Ground works have commenced at the front of the house following the demolition of the original flat roofed porch canopy and covered store.

The approved plans under DM/26/0542 showed the porch extension was 2.8m deep by 2.8m wide. This provided an inner porch width of 1.2m by 2.4m deep. The proposed enlarged porch will measure 3.2m wide by 2.8m deep and will increase the inner porch space to 1.6m wide by 2.4m deep, ie the inner space will be 0.4m wider. As originally proposed a small toilet will be accommodated within the addition. Internally the existing front door to the house will be retained.

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, the Copthorne Neighbourhood Plan and Site Allocation Development Plan Document (DPD).

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.

The following policies are considered relevant when considering this application:

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26 Character and design

DP38 Biodiversity

Site Allocations Development Plan Document

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no policies deemed relevant to this application.

Neighbourhood Plan

Neighbourhood Plan - Copthorne Neighbourhood Plan - made September 2021.

Policy CNP1 - General Development Requirements

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 2026. The District Plan remains at Examination until the Inspector has published his report, until that time only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

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.

DPS2 Sustainable Design and Construction
DPN1 Biodiversity, Geodiversity and Nature Recovery
DPS6 Health and Wellbeing
DPB1 Character and Design

National Planning Policy Framework (NPPF) (August 2026)

ASSESSMENT

This application is made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. The Act states that *'On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and-*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.'

The result of this application would be to issue a new planning permission, so it is not considered necessary to go through all of the original planning issues in this report. The specific changes to the plans that are now proposed are considered below with regards to the design amendments and the amenities of the neighbouring residents.

It is necessary to consider the application against the relevant policies of the development plan and any other material planning considerations.

Design

Policy DP26 of the District Plan relates to character and design. However, this policy has very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to Policy DP3 of the NPPF.

Policy DP3 of the NPPF sets out the key principles for well-designed places. This sets out in part that proposals should respond to their context, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

Also relevant in the determination of the application is Policy CNP1 of the Neighbourhood Plan which refers to General Development Requirements. CNP1.2 seeks that new development, eg. extensions to

existing buildings, 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.

Policy CNP1.2 of the Neighbourhood Plan is materially inconsistent with the NPPF and it has very limited weight.

The Council's adopted Design Guide is a material consideration in the determination of the application. Chapter 9 of the Design Guide relates to household extensions. Design Principle DG49 states that extensions should respond to the design of the original dwelling.

Design Guide Principle DG50 refers to front and side extensions. This states that 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.

The principle of the porch addition at No 12 Heather Close was found acceptable under planning application DM/26/0542.

The enlargement of the proposed porch by 0.4m is a minor design change. This would not make the addition dominant in relation to the host dwelling, or the remaining terrace. The construction materials remain as originally proposed, which would match the house and provide a consistent finish, appropriate to the character of the existing building. It is considered that the enlarged extension would not have a harmful impact upon the street scene or the overall character of the area.

It is considered that the design of the addition will complement the existing design of this terraced house and will accord with the aims of Policy DP26 of the District Plan, NPPF Policy DP3, Neighbourhood Plan Policy CNP1 and the overall principles of the Design Guide.

Impact on residential amenities

Policy DP26 in part seeks to ensure that new development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings. It is considered that this policy has very limited weight as it is materially inconsistent with the NPPF and greater weight should be given to Policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have '*acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space*'.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals '*Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site*'.

Policy CNP1.2 of the Neighbourhood Plan requires that '*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*'.

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The immediate neighbouring properties are the houses to the north at Nos 7 and 8 and the attached house to the south at No 13 Heather Close.

Given the modest scale of the porch addition and the spacing of the neighbouring properties it is considered that the proposed porch construction would not impact light, privacy or external amenity space of the immediate neighbours.

The proposal would not cause unacceptable harm to the amenities of nearby residents. The proposal is therefore, considered to comply with Policy DP26 of the District Plan, Policies L2 and P3 of the NPPF,

the above mentioned part of Policy CNP1.2 of the Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

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.

CONCLUSION

In conclusion, the proposed design amendment to the width of the approved porch extension is considered acceptable in design terms and will not impact harmfully upon the character and appearance of the property.

It is considered that the design amendments would not impact light, privacy or external amenity space of the immediate neighbours.

Consequently this application is recommended for approval, with conditions repeated from the approval under DM/26/0542.

Decision: Permission

Case Officer: Anna Tidey