

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2862	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Two storey side extension and single storey rear extension		
Site:	79 Church Lane, Copthorne, Crawley, West Sussex, RH10 3QG, , ,		
Validation Date	7 Jan 2025	Overall Expiry Date:	14 Aug 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 Aug 2025
Target Date:	4 Mar 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	<i>Steven King</i>	Date:	19 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2862

**79 Church Lane, Copthorne, Crawley, West Sussex, RH10 3QG, ,
Two storey side extension and single storey rear extension
Mr Ben Raines**

SUMMARY OF REPRESENTATIONS

Representations were received in objection to this application from one neighbour. The objection related to a loss of sun/light and outlook to a solid brick wall at 81 Church Lane. A drawing was included as part of this.

Following the submission of revised plans, a re-consultation was issued. No further representations have been received.

SUMMARY OF CONSULTEES

Drainage Engineer

We have no objection to the proposed development on flood risk grounds.

Drainage should be managed via Building Regulations and Building Control, as necessary.

As an advisory, we would suggest the Applicant considers the resistance and resilience measures suggested within the EA advice and implements any they deem appropriate due to the increased flood risk in the vicinity of this as a residential site (which are classified as 'more vulnerable').

PARISH COUNCIL OBSERVATIONS

Defer to Officer.

INTRODUCTION

Planning permission is sought for a two storey side extension and single storey rear extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

79 Church Lane is a semi-detached, east facing, two storey dwelling. It is constructed of red brick, with rough render at the first floor level, a pan tile roof and grey upvc windows. The dwelling is characterised by a canopy porch and benefits from detached, single bay garage to the side.

The application site is located within the built up area of Copthorne. Neighbouring dwellings are located to the north, south and west, whilst the highway is to the east.

APPLICATION DETAILS

Planning permission is sought to replace the existing garage with a two storey side extension and to construct a single storey rear extension. On the ground floor garage space is to be retained, with utility and shower rooms behind, as well as a family room to the rear. A new bedroom and en-suite are proposed on the first floor.

The two storey extension is to be some 3.6 metres wide and would span the depth of the current dwelling. A pitched roof design is proposed that would continue the existing roof form and lines.

Revised plans have been submitted in relation to the single storey rear extension during the course of the application. This section has retained a depth of some 4.0 metres and width of 8.2 metres. Changes have been made to the roof form and an a-symmetric design is now proposed. The eaves to the north are to be approximately 2.3 metres high and would increase to 2.5 metres. It is proposed for the ridge to measure some 3.9 metres.

The extensions are to be constructed in materials to match the host 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 Allocations 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 Development Plan Document

The Site Allocations DPD 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 made on 29th September 2021.

Relevant policies:

CNP1 - General Development Requirements

CNP11 - CA4: Historic Core

Other Material Considerations

Mid Sussex District Plan 2021-2039 Consultation Draft

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:

DPS2 - Sustainable Design and Construction

DPS6 - Health and Wellbeing

DPB1 - Character and Design

Mid Sussex Design Guide Supplementary Planning Document

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)

ASSESSMENT

Design and impact upon the character of the area

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:

- 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 protects valued townscapes and the separate identity and character of towns and villages;*
- 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 (see Policy DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o optimises the potential of the site to accommodate development'.*

Policy CNP1 of the Copthorne Neighbourhood Plan states:

'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.

CNP1.2 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.

CNP1.3 Proposals should retain features such as shaws, hedgerows, ponds and brooks, and enhance them, where practicable.

CNP1.4 Proposals should protect, and encourage the use of, pavements, pathways, footpaths, cycle paths, bridleways, established tracks and twittens, and other Rights of Way.

CNP1.5 Development proposals should be designed and arranged to maintain separation between Copthorne Village and other surrounding settlements.

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'.*

The application site is identified as being within the historic core of Copthorne, as defined by the Neighbourhood Plan. Policy CP11 relates to this area and states:

'CNP11.1 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).

CNP11.2 Proposals for replacement shopfronts on retail properties in Copthorne Bank and Church Road should be designed in a traditional fashion taking account of the wider form, proportions and massing of the overall building.

CNP11.3 Development proposals which utilise traditional tile-hanging will be supported'.

The Mid Sussex Design Guide SPD establishes principles for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions'.

Principle DG50 relates specifically to side extensions and 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'.

In terms of rear extensions principle DG51 states that where they

'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 application property is situated within the built up area of Copthorne, within an established residential area. Whilst these houses share characteristics in terms of form, design and materials, a number have been altered and extended. All of the built development is, however, set back from the highway.

The proposal firstly seeks planning permission for a two storey side extension. This addition has been designed to reflect the host dwelling, in terms of roof pitch, window design and the proposed choice of materials. It is noted that this addition would not be set back from the front elevation or set down from the ridge line, to assist in defining the original house. Surrounding the application site, there are a number of extensions to the side of these dwellings that contain a garage at the ground floor level and accommodation above. The majority of these do not include a reduced ridge height or a set back frontage. Space would still be retained between the application property and its neighbour to the south, reflecting the current street pattern. As such it is considered that, in this context, the design of the extension would be acceptable and would not appear incongruous within the streetscene.

With regards to the rear extension, it is considered that it would be of an appropriate depth in relation to the main house. Revisions have been made to the roof form, during the course of the application, that have resulted in changes to the design. Whilst an unusual shape, it reduces the visual mass of the extension and would still relate acceptably to the host building. Due to its position, it would not be visible from public vantage points and, as such, would not have a harmful impact on the streetscene.

Impact on amenity

With regards to the impact on neighbouring amenity, policy CNP1.2 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. The Copthorne Neighbourhood Plan has been formally made and, as such, policy CNP1.2 is considered to take precedence.

Objection was received in relation to the impact that the proposed rear extension would have to 81 Church Lane. This neighbour has a single storey rear extension, whereby the western elevation is at an angle to the application site and contains a window that spans the width of the elevation. The plans, as originally submitted, proposed a lean to roof, which would present a brick elevation towards No. 81. It was to have an eaves height of some 2.6 metres, ridge height of 3.7 metres and would be set away from the shared boundary by 0.9 metres. Concerns were therefore raised regarding a loss of light and outlook, which were raised with the agent.

Revised plans have therefore been submitted, during the course of the application, that show a hipped roof closest to No. 81. Supporting information has also been provided to demonstrate that light would still be able to reach the closest, neighbouring window. It is noted that the orientation of the property is such that the impact to daylight would be limited to towards the end of the day. The set back from the shared boundary, hipped roof design and lower eaves height are considered to have reduced the impact that would occur to sunlight and daylight. Furthermore it is noted that a similar extension, albeit not as deep, could be constructed without the need for planning permission. It is therefore considered that, whilst there would be an impact to No. 81, on balance, the harm that would arise would no longer be unacceptable to warrant the refusal of the application.

With regards to the impact to 77 Church Lane, this property has a two storey rear extension closest to the shared boundary and no side windows. Whilst the proposed rear extension is shown as being deeper than No. 77, given this projection would be single storey only and set away from the shared boundary there would not be an unacceptable level of harm in terms of loss of light or outlook to the rear windows. As the side extension would not protrude beyond the existing building line, this aspect of the development would not affect the light or outlook to the front windows of No. 77.

No windows are proposed that would result in any direct overlooking and, given the domestic nature of the development, there would not be any unacceptable harm in terms of noise, air or light pollution.

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 proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan and policies CNP1 and CNP11 of the Copthorne Neighbourhood Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist