

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3085	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Ground floor rear extension.		
Site:	40 Westway, Copthorne, Crawley, West Sussex, RH10 3QR, , ,		
Validation Date	14 Jan 2025	Overall Expiry Date:	7 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	10 Mar 2025
Target Date:	11 Mar 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	10 Mar 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3085

**40 Westway, Copthorne, Crawley, West Sussex, RH10 3QR, ,
Ground floor rear extension.
Mr And Mrs Tinsley**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

TOWN/PARISH COUNCIL OBSERVATIONS

Defer to Officer.

INTRODUCTION

Planning permission is sought for a ground floor rear extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

40 Westway is an east facing, semi-detached, two storey dwelling. It is constructed of red brick, with a pan tile roof and upvc windows. The dwelling is characterised by a canopy porch and bay window to the front. It also benefits from an integral garage to the side.

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

APPLICATION DETAILS

Planning permission is sought to construct a single storey, rear extension that would enlarge the existing kitchen and dining area. The extension is to be some 4.0 metres deep and 3.9 metres wide. A mono-pitched roof is proposed that would measure approximately 2.4 metres to the eaves and 3.4 metres to the ridge.

It is proposed to finish the extension 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
CNP12 - CA5: Post War Copthorne

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

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 Mid Sussex Design Guide SPD also provides advice 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'.

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. Houses in this section of the development are arranged around a cul-de-sac and appear relatively unaltered in the streetscene.

The proposal seeks planning permission for a single storey extension to the rear of the property. It is considered that the scale of the addition is such that it would not appear overly dominant in relation to the main house. The proposed design would respond appropriately to the host dwelling, such as through the use of matching windows. The application form sets out that the materials are to match the existing building, which would provide a consistent finish.

Due to the arrangement of this development there may be views of the extension, from the north, over neighbouring gardens. A rear extension has been constructed by the neighbour to the north, which would screen part of the proposal, and given the acceptability of the proposed addition's scale and design it is considered that the development would not have an harmful impact on the character of the streetscene.

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.

The proposal would be closest to 42 Westway, who have constructed a single storey extension to the rear. Whilst this neighbour has a rear window in close proximity to the shared boundary, it is noted that the projection beyond No. 42's rear elevation would be some 1.8 metres and that the extension would be set away from the shared boundary. As such, whilst there may be some impact to the light available to this window, the harm would not be considered significant enough to warrant the refusal of this application. With regards to outlook, the extension would reduce in height and would be set approximately 1.1 metres away from the shared boundary. As such it is considered that there would not be an unacceptable loss of outlook to No. 42. No windows are proposed that would result in any direct overlooking.

With regards to the impact to 38 Westway, the extension would be positioned some 4.6 metres from the shared boundary with the application site. It is therefore considered that there would not be an adverse impact to the light and outlook available to this neighbour. It is acknowledged that a side window is shown that would face onto No. 38. This neighbour's flank wall, however, forms part of the boundary treatment and the proposed extension would not exceed its depth. As such no direct overlooking would arise from this addition.

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 CNP12 of the Copthorne Neighbourhood Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist