

Mr Downs
c/o Mr Matthew Alderson
KWL Architects
Poplar House
Hazell Drive
Newport
NP10 8FY

CONTACT: Susan Dubberley
PHONE: 01444 477590
E-MAIL: susan.dubberley@midsussex.gov.uk
REF: DM/25/1102
DATE: 5th August 2025

Dear Sir/Madam

Francis Court Borers Arms Road Copthorne Crawley
Variation of condition No: 2 relating to planning application DM/23/2360 - to amend the drawing list as the site plan has been updated.

I advise that your application DM/25/1102 was **Granted Permission** on **5th August 2025**.

I enclose a copy of the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Please read the notes accompanying this decision notice carefully.**

Please also be advised that this permission does not constitute an approval under Building Regulations. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted.

Yours faithfully



Ann Biggs
Assistant Director Planning and Sustainable Economy

Mr Downs
Mr Matthew Alderson
KWL Architects
Poplar House
Hazell Drive
Newport
NP10 8FY

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

PERMISSION

REFERENCE: DM/25/1102

DESCRIPTION: VARIATION OF CONDITION NO: 2 RELATING TO PLANNING APPLICATION DM/23/2360 - TO AMEND THE DRAWING LIST AS THE SITE PLAN HAS BEEN UPDATED.

LOCATION: FRANCIS COURT, BORERS ARMS ROAD, COPTHORNE, CRAWLEY

DECISION DATE: 5 AUG 2025

CASE OFFICER: SUSAN DUBBERLEY -
SUSAN.DUBBERLEY@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of the original permission, 14 August 2023.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. 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.

3. The windows on the east elevation facing towards Francis Court shall at all times be glazed with obscured glass.

Reason: To protect the privacy of the adjoining property and to comply with policy DP26 of the District Plan.

4. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the LPA.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. The development hereby approved shall be carried out in accordance with the submitted details of the approved Construction Management, under condition 5 of application DM/24/2202. Any variation from the approved details should be agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of the area and to accord with Policy DP21 of the Mid Sussex District Plan.

6. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the Mid Sussex District Plan

7. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the Mid Sussex District Plan.

8. The development shall be carried out in accordance with the submitted samples and details of materials and finishes to be used for external walls , windows, doors and roofs of the proposed building, approved under condition 8 of application

DM/24/2702. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality and to accord with Policy DP26 of the District Plan 2014 - 2031.

9. The development shall be carried out in accordance with the submitted details of
 - o 1:50 scale plans, elevation, and sections of entrance zone to the building
 - o 1:20 sections and front elevations of the typical features (shown in context) including dormers, railing, roof/eaves details, windows, doors.
 - o 1:20 scale sections showing the solar panels within the roof slope.under condition 8 of application DM/25/1031.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality and to accord with Policy DP26 of the District Plan 2014 - 2031.

10. The development shall be carried out in accordance with the submitted details of the PV scheme, approved under condition 8 of application DM/25/1031. The scheme to be implemented as approved.

Reason: to ensure that the development does not endanger the safe movement of aircraft or the operation of London Gatwick through interference with communication, navigation and surveillance equipment of glint and glare issues.

11. The development hereby approved shall be carried out in accordance with the submitted details of the proposed surface water and foul drainage approved under condition 11 of application DM/24/2203. Any variation from the approved details should be agreed in writing with the Local Planning Authority and the development shall not be occupied until all drainage works have been carried out in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with the NPPF requirements, and Policy DP41 of the Mid Sussex District Plan (2014 - 2031).

12. The development hereby approved shall be carried out in accordance with the submitted details of both hard and soft landscaping, approved under condition 12 of application DM/25/1031. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policy DP26 of the District Plan

13. All mitigation and compensation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment Rev. 1 (SLR Consulting Ltd., Sept 2023) and Bat Survey Report (SLR Consulting Ltd., Sept 2023), as already submitted with the

planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

14. Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or

b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or

c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

15. The development hereby approved shall be carried out in accordance with the submitted details of the environmental management plan (CEMP: Biodiversity) approved under condition 15 of application DM/24/2483. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

16. The development hereby approved shall be carried out in accordance with the submitted details of the Biodiversity Enhancement Layout for bespoke biodiversity enhancements approved under condition 16 of application DM/25/1031. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority

habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

17. Prior to occupation, a "lighting design strategy for biodiversity" for the buildings in accordance with GN: 08/23 (ILP) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies DP38 of the Mid Sussex District Plan and 180 of the NPPF.

18. The development hereby permitted shall not be brought into operation until the lighting scheme detailed in the External Lighting Impact Assessment, revision A, produced by dpa lighting consultants dated 17 November 2023, has been completed in full and thereafter maintained in accordance with such details unless first agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

19. The development hereby approved shall be carried out in accordance with the submitted details of the scheme of mitigation measures to improve air quality relating to the development shall be submitted to and approved in writing by the Local Planning Authority, approved under condition 19 of application DM/24/2402. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents and comply Policy SA38 of the Site Allocations Development Plan Document

20. The development hereby permitted shall not operate catering activities until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the Local Planning Authority, and the scheme as approved has been implemented. The submitted odour control scheme shall be in accordance with current best practice and shall include an odour risk assessment, as well as a maintenance and monitoring schedule for the odour control system, to ensure adequate control of odours, to align with the manufacturer's instructions.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

21.

The use hereby permitted shall not come into operation until a scheme has been submitted to the LPA demonstrating that the noise rating level (L_{Ar,Tr}) of plant and machinery within the build shall be at least 5dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014+A1:2019. The assessment shall be carried out with the plant/machinery operating at its maximum setting. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

22.

The development hereby permitted shall not be occupied or brought into use until glazing and acoustic window trickle vents as specified in Table 1 for rooms in areas specified in Figure F, contained within the Noise Impact Assessment produced by SLR, SLR Project No. 414.063432.00001 dated 4 September 2023 revision 01, and the Technical Memorandum from SLR dated 6 November 2023, have been installed.

Reason: To protect the amenity of future residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

23.

The applicant shall submit to the LPA for approval, details of an overheating mitigation scheme to ensure the thermal comfort of occupants when windows are closed. This scheme is required for habitable rooms located in the red areas as shown in figure G contained within the Noise Impact Assessment produced by SLR, SLR Project No. 414.063432.00001, dated 4 September 2023, revision 01 (as amended by the Technical Memorandum from SLR dated 6 November 2023). All works that form part of the approved scheme shall be completed before the residential parts of the development are occupied.

Reason: To protect the amenity of future residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

24.

No commercial goods or commercial waste shall be loaded or unloaded onto or from a delivery or collection vehicle except between the hours of 08:00 - 18:00 hours Monday to Friday, between the hours of 09:00 - 13:00 hours on Saturdays, Sundays and Bank holidays, none permitted.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

25.

The development hereby approved shall be carried out in accordance with the submitted details of the Sustainability Statement approved under condition 25 of application DM/25/1139. These measures shall be implemented in accordance with the approved details prior to occupation.

Reason: In the interests of achieving an energy efficient, sustainable development

and to accord with Policy DP39 of the Mid Sussex District Plan 2014 - 2031.

26. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and to accord with Policy DP21 of the Mid Sussex District Plan.

Biodiversity Net Gain

1. This permission is considered to be one which **will not require the approval of a biodiversity gain plan before development is began** because it is considered that one or more of the statutory exemptions or transitional arrangements is considered to apply.

Please see the information contained within the notes to applicants/agents set out below.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Proposed Site Plan	AL01	REV A	28.04.2025
Existing Floor Plans	PL17		25.09.2023
Existing Floor Plans	PL18		25.09.2023
Existing Elevations	PL19		25.09.2023
Existing Elevations	PL20		25.09.2023
Existing Floor Plans	PL16		25.09.2023
Location Plan	LP01	A	11.09.2023
Existing Site Plan	PL01	B	11.09.2023
Proposed Floor Plans	PL03	B	10.01.2024
Proposed Floor Plans	PL04	C	10.01.2024
Proposed Floor Plans	PL05	C	10.01.2024
Proposed Elevations	PL06	C	10.01.2024
Proposed Elevations	PL07	B	10.01.2024
Proposed Roof Plan	PL08	A	11.09.2023
Proposed Floor and Elevations Plan	PL10	A	11.09.2023
Landscaping Details	PL11		11.09.2023
Proposed Floor and Elevations Plan	PL09		11.09.2023



Ann Biggs
Assistant Director Planning and Sustainable Economy

PECNDZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Mid Sussex District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition that apply in this instance

The planning permission was granted on an application made under Section 73 of the Town and Country Planning Act 1990 and

- (i) The original planning permission to which the Section 73 planning permission relates* was granted before 12th February 2024, or
- (ii) The application for the original planning permission* to which the Section 73 planning permission relates was made before 12th February 2024.

* "original planning permission means the permission to which the Section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are Section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the replaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Purchase Notices

If either the Local Planning Authority or Secretary of States refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.