

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2817	Case Officer:	Andrew Horrell
Application Type:	Change of Use Application		
Proposal:	Change of use from kitchen showroom to bakery with office at the rear including side and rear single storey extensions.		
Site:	Bloomsbury Kitchens, Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QZ, ,		
Validation Date	6 Nov 2025	Overall Expiry Date:	2 Dec 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	22 Dec 2025
Target Date:	1 Jan 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	22 Dec 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2817

**Bloomsbury Kitchens, Copthorne Bank, Copthorne, Crawley, West Sussex, RH10 3QZ,
Change of use from kitchen showroom to bakery with office at the rear including side and rear
single storey extensions.
JMD Recruitment**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTATIONS

MSDC Environmental Health: The applicant has confirmed that the bakery will not open until 8am and that any noisy equipment will not be operated before this time.

In addition there is nothing on the submitted plan to indicate installation or operation of any external extraction or ventilation plant. On this basis, we have no objection to the application.

PARISH COUNCIL OBSERVATIONS

Support

INTRODUCTION

Permission is sought for the change of use from kitchen showroom to bakery with office at the rear including side and rear single storey extensions.

RELEVANT PLANNING HISTORY

DM/22/1111 - Proposed change of use from office/showroom (Class E) to 2no. apartments (Class C3).
(Prior Approval Granted)

SITE AND SURROUNDINGS

The building is a semi-detached link detached pitched roofed building with flat on first floor and a currently vacant commercial unit on ground floor. The buildings is characterised by timber doors and crittal windows, face brickwork walls on ground floor and render on first floor. The building has an existing ground floor rear conservatory.

To the west of the site is the adjoining neighbour (The Briars), to the east of the site is close boarded fencing to set back Little Hammer with neighbouring Julianita beyond, to the north of the site is the parking area to the highway beyond and to the south of the site is the rear garden with close boarded fencing to neighbours in The Meadow beyond.

The site is within the built up area of Copthorne.

APPLICATION DETAILS

The existing vacant kitchen showroom is to be changed into a bakery, office with shop to the front.

The application from details the proposed hours of use of the bakery to be as follows:

8am to 5pm Mondays to Saturdays

The existing rear conservatory to be removed approximately measures 4.35m in maximum depth, 5.15m in maximum width with a height to eaves of 2.3m and an overall height of 4m.

The proposed single storey flat roofed rear extension approximately measures 8.45m in depth, 5m in width with a height of 2.65m with the roof lantern creating an overall height of 3.2m.

The proposed single storey flat roofed side extension to create an enlarged office to replace the rear showroom approximately measures 8.3m in depth, 1.4m in width with a flat roofed height of 2.65m with the roof lantern creating an overall height of 3.2m

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,*
- 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 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:

- DP1 - Sustainable Economic Development
- DP21 - Transport
- DP26 - Character and Design
- DP29 - Noise, Air and Light Pollution

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.

None.

Neighbourhood Plan

The Copthorne Neighbourhood Plan was made on 29th September 2021.

Relevant policies:

CNP1.1 - Design and Character
CNP1.2 - Neighbouring Amenities
CNP1.6 - Residential Extensions
CNP11 - CA4: Historic Core

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 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:

DPN7 - Noise Impacts
DPB1 - Character and Design
DPT3 - Active and Sustainable Travel

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 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 objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

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.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- o Principle
- o Design and Impact on Character of the Area
- o Impact on Residential Amenity
- o Highways
- o Biodiversity Net Gain

Policy DP1 of the District Plan relates to sustainable economic development and seeks 'to promote a place which is attractive to a full range of businesses, and where local enterprise thrives, and to provide opportunities for people to live and work within their communities, reducing the need for commuting.' It also encourages 'high quality development of land and premises to meet the needs of 21st century businesses'.

The submitted application form states that the former use of the building as a kitchen showroom ended in July 2025. As such, the principle of development to convert the premises into a new business is considered to be acceptable in this regard and would not be contrary to the provisions of DP1 of the District Plan.

Design and Impact on the Character of the Area

Policy DP26 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 DP29);*
- 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 Neighbourhood Plan states (in part):

'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.'*

Policy CNP11 of the Neighbourhood Plan states (in part):

'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).

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'.

The proposed use would be in keeping with the built-up area where commercial units character the area.

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.'

Design Guide Principle DG50 refers to Side extensions and states:

'Side extensions are typically visible from the public realm and will be resisted where they have an adverse impact on the street scene or the appearance of a dwelling.

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'.

The proposed side extension is a modest enlargement to the existing building, it will be subservient, will only be partial publicly visible and will use matching materials to the existing building.

Principle DG51 of the Mid Sussex Design Guide SPD relates specifically to rear extensions and states the following:

'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 rear extension, to in part replace the existing rear conservatory, is a fairly large enlargement, but it would not be visible from the streetscene and would be subservient to the existing building and will use matching materials.

Therefore, the proposal is deemed in design and character and complies with DP26 of the Mid Sussex District Plan, CNP1 and CNP11 of the Copthorne Neighbourhood Plan and principles DG49, DG50 and DG51 of the Mid Sussex Design Guide SPD.

Impact on Residential Amenity

Policy DP26 as stated above requires that significant harm is not caused by the development proposal, 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.

Policy CNP1.2 states:

'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.'

There is a conflict in the above two policies and as the Neighbourhood Plan was more recently adopted the test is whether there would be unacceptable harm caused to residential amenity.

Also relevant is District Plan Policy DP29 Noise Pollution with regards to potential noise impact from the new use is. This policy states:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- o It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- o If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

*o an assessment of the impact of noise generated by a proposed development; or
o an assessment of the effect of noise by an existing noise source upon a proposed development;*

The degree of the impact of noise and light pollution from new development or change of use is likely to be greater in rural locations, especially where it is in or close to specially designated areas and sites.'

There are nearby residential units on this part of Copthorne Bank, including a first floor offices located above the proposed Bakery. Opposite the site there are dwellings with ground and first floor windows which face towards the site. There are also other commercial businesses operating nearby.

It is considered that the proposed commercial use of the unit will create new noises, visitor activities, deliveries and traffic. The proposed hours of use are considered acceptable for this vacant unit with an existing commercial use, where customer activities would be expected by those living nearby.

The applicant has confirmed that the equipment that make noise will not be active prior to opening with the majority of the items to be sold in the bakery to be wholesale and not baked on site.

The advice of the MSDC Environmental Protection department has been sought on the proposal and they had no objections to the proposal.

The proposed bakery is planned to operate 6 days a week, with the earliest operating time of 8am, to the latest time of 5pm. It is accepted that there would be some local noise impacts, but it is considered that the proposal would not cause significant detriment to the amenities of the existing nearby residents.

In terms of the proposed side extension, given the location of the proposed in relation to the neighbouring properties, there will be no impact on light and outlook, whilst there will be side windows as they are at ground floor level, the harm is not deemed unacceptable.

The proposed rear extension will cause a degree of impact on the adjoining neighbour to the west (The Briars), given the existing relationship between the two buildings and the low single storey nature of the proposal means that the level of harm of the proposal is not deemed unacceptably harmful in terms of light. In terms of privacy and overlooking, as single storey the level of harm is no more harmful than would be expected within the built up area.

The proposals are found to accord with the requirements of Policies DP26 and DP29 of the District Plan, and the Design Guide principles with regards to 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;'

The WSCC Parking Standard requirements for commercial units (shops and retail) require 1 space per 14 sqm and offices requiring 1 space per 40sqm.

The proposed unit has an established commercial use The previous kitchens showroom comprises of some 90sqm and office on the first floor 35sqm.

The proposed kitchen and a floor area of 60sqm and the offices on the ground and first floor 75sqm.

There is parking to the front of the building for 6 cars. Therefore, there will likely be a shortfall. However, the location of the site is within the village centre, with nearby bus stops and sustainable transport options. As noted above the majority of footfall will likely be local.

It is considered that the proposal will accord with District Plan Policy DP21, and given the village centre siting of the unit the WSCC Parking Standard requirements can be addressed in part by sustainable forms of transport and therefore the proposal is considered acceptable.

As such, and in relation to this issue, the proposal is in accordance with DP21.

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.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

It is considered that the proposed change of use is acceptable and it is therefore recommended that permission be granted. The proposed use is compliant with all relevant policies mentioned above including DP1, DP21 DP26, DP29 and Neighbourhood Plan policies CNP1 and CNP11, the relevant principles of the Mid Sussex Design Guide SPD and national guidance contained within the National Planning Policy Framework.

Decision: Permission

Case Officer: Andrew Horrell