



Appeal Decision

Site visit made on 24 February 2025

by C Coles MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 March 2025

Appeal Ref: APP/D3830/D/24/3356780

38 Payne Way, Copthorne, Crawley, Sussex RH10 3YQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Lewis Walker against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/1936.
 - The development proposed is single storey side/rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The decision notice refers to the Mid Sussex Design Guide Supplementary Planning Document (SPD) (November 2024). The date of the SPD is incorrect on the decision notice and should be 2020.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. No 38 Payne Way forms one of a pair of two-storey, semi-detached houses with rooms in the roof. The property is prominently sited on a corner at the junction of Payne Way and Bedwell Lane. A boundary wall encloses the private rear garden and outside of that, adjacent to Bedwell Lane, is an open grassed area which forms part of the landscaping scheme for the wider housing development. There is a strong sense of uniformity in the architecture within the development. This is reflected in the street scene of Payne Way which is characterised by evenly spaced pairs of semi-detached houses of the same design.
5. The proposal would extend the appeal property at ground floor level with a wrap-around extension. The flat roof design would be discordant with the host property and surrounding dwellings, which are characterised by steeply pitched roofs. Furthermore, due to its large footprint and position on the property, the extension would unbalance the appearance of this pair of houses.

6. Although modest in height and set back from the property frontage, due to its corner position and the open aspect to the side, the extension would be a prominent feature of the public domain, such that it would have a detrimental impact on the street scene. In projecting beyond the side boundary wall onto the grassed open area, the proposal would significantly erode the contribution this piece of land makes to softening the built form within this urban development.
7. I acknowledge that the proposal would comply with certain aspects of the SPD. For example, it would be set back from the property frontage. However, it would also fail to respond to the design of the original dwelling or reflect local character and would therefore be contrary to Design Principle DG49. This failure to comply with the Council's guidance weighs against the proposal.
8. To conclude, the proposed development would be harmful to the character and appearance of the area. It would thus conflict with Policy DP26 of the Mid Sussex District Plan 2014-2031 and Policy CNP1.6 of the Copthorne Neighbourhood Plan 2021-2031 insofar as they seek high quality design which responds to its context and protects open space.

Other Matters

9. No objections have been received from neighbours; however, this is neutral in the planning balance as a lack of objections does not equate to an absence of harm.
10. I note that the appellant bought the property with the explicit intention of extending it. However, I have attached that limited weight as a material consideration. Any proposal requiring planning permission must be considered on its planning merits.
11. The appellant explains that they need the proposed extension to provide additional space for a growing family, which includes foster children. I have taken this into account as a material consideration, but it does not outweigh the harm I have identified. I am mindful here that the harm to the character and appearance of the area would endure long after the personal circumstances have ceased to be relevant.
12. From the limited information available to me, the open space to the side of the property was designed as open space with two trees to be planted as part of the site layout plan. Issues relating to land ownership or the longevity of the landscaping plan have not had any material bearing on my assessment of the planning issues in this appeal.

Conclusion

13. For the reasons given above the appeal should be dismissed.

C Coles

INSPECTOR