



Appeal Decision

Site visit made on 3 March 2025

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/D3830/W/24/3353832

27 Knowle Drive, Copthorne, Crawley, RH10 3LW

- 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 Spring Development Ltd against the decision of Mid Sussex District Council.
 - The application Ref is DM/23/2164.
 - The development proposed is the erection of 2 No. bungalows and associated landscaping following the demolition of the existing dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of 2 No. bungalows and associated landscaping following the demolition of the existing dwelling at 27 Knowle Drive, Copthorne, Crawley, RH10 3LW in accordance with the terms of the application Ref. DM/23/2164 subject to the conditions listed in the schedule

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. On the basis that the latest revisions have no material implications for the outcome of this appeal, it has not been considered necessary to request any related observations from the main parties.
3. A previous scheme for two, 3 bed dwellings was dismissed on appeal in June 2024 – appeal reference APP/D3830/W/23/3325084. There were four main issues in that case: the character and appearance of the area, the supply of housing for older people, the living conditions of the neighbouring occupiers and flood risk. The latter two were not upheld, and as a proposal for bungalows the Council confirms that this appeal scheme accords with policy CNP3.1 of the Copthorne Neighbourhood Plan 2021-2031 (CNP) relating to homes for older people.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area and, in particular, whether it would be an overdevelopment of the site.

Reasons

5. The appeal site is located within a suburban residential estate. No.27, together with its immediate neighbour (No.25), are detached bungalows. These are set back from the road and have a spacious appearance with woodland to the rear. There is consistency in the design of the properties within the estate, and small clusters of

bungalows interspersed between two-storey houses form part of the development pattern.

6. The existing bungalow, together with its attached double garage, has a wide frontage which extends up to the shared boundary with No.25. It occupies a triangular plot with the southern boundary shared with No.1 Pinetrees Close. This creates a wide space between the two properties with an open grassed verge area to Knowle Drive.
7. The proposal would spread development further across the plot. However, a gap would be retained to No.1 with the area to the side in part utilised as garden for plot 27B. The plot widths would be similar to those in the vicinity, where there is generally limited space to the side of the properties. I am nevertheless aware that part of the reasoning for the previous scheme being dismissed included the separation and contrast between the proposed gardens and the spacious front and rear gardens of No.25.
8. That previous scheme, for two-storey houses, would have had a different juxtaposition with its neighbours and visual impact on the street scene. The proposed development would maintain the low-level form of this stretch of Knowle Drive, and the design and materials of the proposed bungalows reflect the existing. It therefore contrasts with the '*disparate appearance*' the previous Inspector found ¹ and it was additionally highlighted that the bungalows have their own identity compared to the two-storey houses in Pinetrees Close.
9. There would be a cohesion to the row of bungalows which would be created. The spacing between each would be similar, and there would be a rhythm to the gabled roof forms. The new properties would be sited slightly further forward than the existing bungalow; however, they would not extend any further forward than the garage to No. 25, and the rear elevation of the proposed bungalow on plot 27A would also align with that of the neighbouring property.
10. The gardens, whilst modest, would provide a usable area of amenity space for the occupiers, and the Council has not raised any concerns regarding the level of amenity space. Additionally, to the front, there is sufficient setback for parking and landscaping, which includes the retention of a smaller open verge area up to the corner with No. 1.
11. Both Mid Sussex District Plan 2014-2031 (MSDP) policy DP26 and policy CNP2 of the CNP support redevelopment and the optimisation of sites to accommodate development where it respects the character of the area. An intensification of use will inevitably alter some aspects, and, in this case, there will be a visual change and some reduction in spaciousness. However, for the reasons set out, I do not find that the proposal would appear overly cramped or incongruous in the street scene.
12. In terms of the scale of development and plot coverage, it is also pertinent to note the planning history for the existing bungalow. This includes a number of prior approvals for side and rear extensions and upward development to create a two-storey property, which, in combination, the appellant promotes as a fallback. Together these alterations would not extend development as far to the east, but they would, overall, have a greater footprint and height compared to the proposed scheme. It would also erode the bungalow grouping which contributes to the

¹ Paragraph 7

character of the area. As a consequence, there would also be the loss of a property providing single-storey living, which is a particular concern raised in the CNP and the basis for policy CNP3.1. Conversely, the appeal proposal would add to the stock of single-storey accommodation.

13. In conclusion, I find that the design and form of the proposed development would integrate with its setting and the site would not appear overdeveloped. The proposal also offers a number of benefits compared to the fallback, which adds further weight in favour of the scheme. Accordingly, it would comply with policy DP26 of the MSDP, which, among other things, requires high-quality design and the creation of a sense of place while addressing the character and scale of the surrounding buildings.
14. The decision notice also refers to conflict with CNP policy CNP1.2; however, that particular criterion relates to the amenity of existing and future occupants and is not directly related to the reason for refusal. I assume this is an error, and the reference should have potentially been to either CNP1.1 or CNP2.1, both of which relate to development responding to the character of the area. For clarity, the development would also accord with these policies.

Other Matters

15. In considering the application, the Council found no material harm to the amenities of the neighbouring properties. While the proposed bungalow would extend further back than the existing garage, it would be offset from the boundary, and it is indicated that the windows in the side elevation of No.25 are secondary windows. As such I have no reason to disagree with the Council's conclusion.
16. The construction work will inevitably create some noise and disturbance, the impact of this would be unavoidable but temporary. It is not a reason to withhold planning permission, and the Council has proposed a working hours condition to protect residents.
17. The Council refer to the emerging District Plan 2021 – 2039, which will replace the MSDP with stage 1 hearings having taken place in October 2024. It is, however, acknowledged that at this stage the policies have limited weight, and I have based my decision upon the adopted development plan and the other considerations before me.

Conditions

18. The conditions imposed are those which have been suggested by the Council but with some variation in the interests of clarity and precision having regard to the advice in the Planning Practice Guidance.
19. In line with the statutory requirements conditions are required relating to the commencement of development and the plans in order to provide certainty. In the interests of the character and appearance of the area, I have imposed conditions requiring the materials and the details of the hard and soft landscaping to be approved. Details are also required in relation to the disposal of foul sewerage and surface water to ensure the development makes adequate provisions. Due to the nature of these provisions, they must be pre-commencement, and the appellant has confirmed their agreement to this approach in their appeal statement.

20. Conditions are necessary to ensure appropriate provisions are made for vehicle parking before the properties are occupied and to secure the cycle storage to help facilitate sustainable modes of transport. Additionally, a condition is necessary to minimise disturbance to local residents in relation to the construction working hours.

Conclusion

21. For the reasons set out above, and having regard to all other matters raised, I allow the appeal subject to conditions.

G Ellis

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:- Existing Elevations 1200 P1, Existing Floor Plans 1100 P1, Existing Site Plan 1000 P1, Street Scene 1205 P1 18.08.2023, Location and Block Plan 0001 P1, Proposed Elevations 3200 P1, Proposed Elevations 3201 P2, Proposed Floor Plans 3100 B1, Proposed Floor Plans 3101 P2, Proposed Roof Plan 3001 P2, Proposed Site Plan 3000 P1 and Street Scene 3202 P2.
- 3) No development shall commence until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details and thereafter managed and maintained in accordance with the approved details.
- 4) No development shall be carried out above ground slab level until details/samples of the materials to be used in the construction of external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall be carried out above ground slab level until there shall have been submitted to and approved in writing by the Local Planning Authority a scheme for hard and soft landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development and the proposed boundary treatments. These works shall be carried out as approved.
- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the

occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from

- 7) 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.
- 8) Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times: Monday - Friday 08:00 - 18:00 Hours. Saturday 09:00 - 13:00 Hours and Sundays and Bank/Public Holidays no work permitted.
- 9) No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.
- 10) No dwelling shall be occupied until covered and secure cycle parking spaces have been provided in accordance with details submitted to and approved in writing by the local planning authority.