

Planning Statement

For

5 Dexter Drive, East Grinstead, RH19 4SU

For

Proposed rear 1st floor balcony over existing approved rear ground floor extension and to include a staircase from ground to 1st floor and adding patio doors to selected existing rear 1st floor windows.

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PROPOSAL:

The proposal is to add privacy screens, a stairway and patio doors to the roof space as approved for a rear ground floor extension at 5 Dexter Drive so it can be used as a balcony.

The balcony has been specifically designed to avoid material harm to neighbouring residential amenity. The site benefits from an unusually open rear aspect with substantial separation distances and extensive views across open land. The design incorporates privacy screening and a limited projection to ensure that overlooking, loss of privacy and visual intrusion are minimised.

The application includes a comparative analysis demonstrating that the balcony would not have any harmful effect on the directly neighbouring or other properties.

The proposal would not affect the principal sitting-out areas of neighbours within their gardens.

BACKGROUND:

No.5 Dexter Drive is part of a development permitted in 1991 consisting of similar size and scale properties but vary in materials and styles, with a mixture of use of brickwork, render and some with timber detailing to the front façade.

Under reference DM/25/3184 a pre-planning consultation was carried for a proposed rear ground floor extension with balcony above and rearrangement of internal layouts and changes to rear 1st floor fenestration.

The client decided after the meeting to only apply for the rear ground floor extension under application reference DM/26/0349 for which planning was granted on 30th March 2026 and building work started on site at end of May 2026.

Under a new application, the client now wishes to apply for the balcony element.

PRE-PLANNING ADVICE:

For the current application the pre-app report was used as the basis for addressing the issues raised.

The pre-app report was issued under reference no. DM/25/3184 for a rear ground floor extension which included elements to use the space as a balcony. Informal further advice was also provided afterwards on revised proposals and refinements put forward.

For the balcony element, the pre-app report pointed out many of the proposed aspects as acceptable and compliant with the Mid Sussex District Plan (MSDP) and the Neighbourhood Plan (NP). The Mid Sussex Design Guide SPD (MSDG) and the National Planning Policy Framework (NPPF):

The width and height of the proposed rear extension was considered to be of an acceptable scale and massing in relation to the original dwelling.

The rear extension would appear subservient in relation to the host dwelling.

The report emphasised the key issues to be addressed:

- a) The original proposal included a rear balcony and balustrade at first floor level that would span the width of the property.
- b) The proposed glass balustrade screening would reach some 4.6 metres in height from ground level towards the property which was considered unneighbourly due to the

increase of the built form with a blank facade towards this neighbour and have a perception of overlooking to no. 7 Dexter Drive.

- c) The proposal included a rear balcony at first floor level which would provide direct views into neighbouring property's private amenity space.
- d) It was pointed out that the design of the staircase was considered to be out of keeping with the house and appeared incongruous as the design of a steel spiral stair with stainless cladding would not normally be associated with a domestic property.

Further, the report stated that the proposals were for the rear of the property; therefore, impact is studied for directly adjoining neighbours only and noting that Westhouse to the south of the property is more than 25m and therefore unlikely to be impacted. Mitigation measures proposed herewith are therefore aimed at the directly adjoining neighbours at no's 3 and 7 Dexter Drive only.

The planner pointed out, that ***'if a separate planning application for the balcony would be considered, that advice provided at the pre-application stage, must be taken on board where it was identified that the proposed balcony would be likely to result in harm to the amenity of neighbouring properties, particularly in respect of overlooking and loss of privacy. It remains a key material consideration and would need to be carefully addressed should a formal application be submitted. The inclusion of mitigation measures, such as privacy screening, may assist but would need to be robustly justified.'***

DESIGN CONSIDERATIONS:

Materials for the staircase:

The materials for the staircase were changed from stainless steel to wooden to blend better with a domestic garden environment. Visual screens were added to the side of the stairway to mitigate any sideward views towards No.3.

Visual impact / overlooking and loss of privacy:

Existing impact on No 7 and No.3 (as per approved rear ground floor extension):

Two potential viewing points namely X (from the centre of the Bedroom 4 window) and Y (from the centre of the existing Master Bedroom window) are identified on the diagrams below.

From the bedroom windows it is possible to see sideways and downwards into the neighbour's rear gardens:

From Viewpoints X and Y towards neighbours, the diagrams show that the parapet coping of the approved rear ground floor extension limits downward views to a certain extent, but that a vast amount of rear garden spaces is still affected below a height of 1.7m (the general height of garden fencing)

For No.7 the area visible within 1.7m height is 121m² and for No.3 it is 53m².

Admittedly, it is unlikely that neighbours would normally want to see into the adjoining gardens to the extreme extent shown on the diagrams, yet it is physically possible.

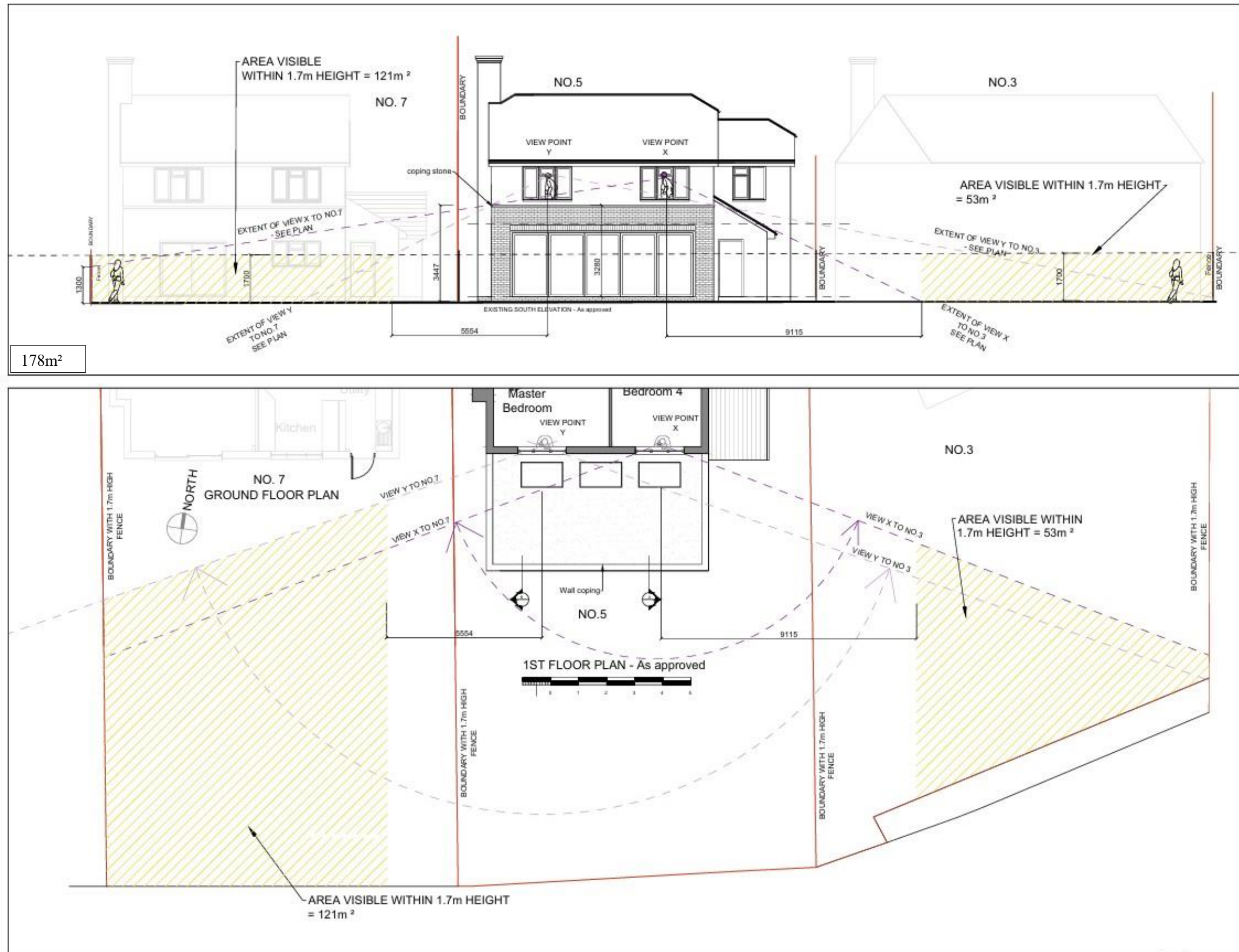


DIAGRAM SHOWING THE VISUAL IMPACT ON NO.7 & NO.3 FROM THE MASTER BEDROOM & BEDROOM 4

Impact on No.7 and No.3 (as proposed for use as balcony):

Similarly to the preceding diagram, two potentials, extreme viewing points are identified namely Viewpoint A (from the southeast corner of the proposed balcony) and Viewpoint B (from the southwest corner of the proposed balcony). The rear balustrade is set in from the south edge by 1m, to limit the extent of sideward views and to reduce the visual appearance.

The stairway is proposed with a 1.7m high screen to the entire east side and full extent of the stair to mitigate any sideward views towards no. 3. The materials are shown as a wooden staircase and wooden visual screen.

From both Viewpoints, A and B towards the neighbours, the diagrams show that the proposed vision screens mitigate direct sideward views - a person standing close to the screens will not be able to see anything into a neighbour's garden. However, a person stepping back from the side screens will be able to see more of the neighbour's gardens. The view lines are from extreme positions and indicate that the combination of the parapet coping and side screens limit downward and sideward views to a very high extent, especially those spaces in neighbouring gardens below a height of 1.7m.

For No.7 the area visible within a height of 1.7m is 7m² and for No.3 it is 8m².

The proposed visual and privacy impact therefore is less than the existing (as approved) on affected neighbours.

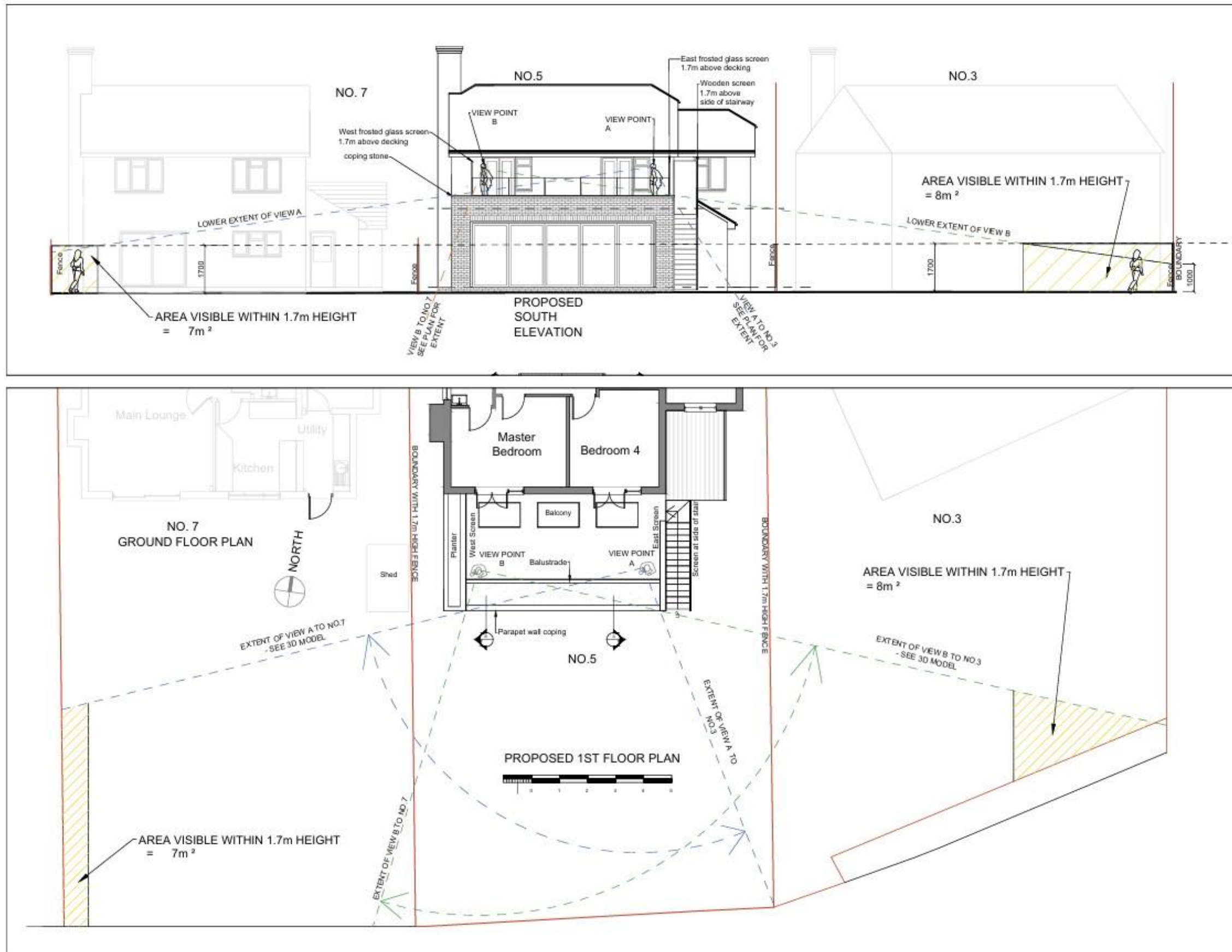


DIAGRAM SHOWING THE POTENTIAL VISUAL IMPACT FROM THE PROPOSED BALCONY

Noise Impact on neighbours:

The proposed balcony is for outdoor amenity and unlikely to have more noise generated by occupants than that of any other outdoor space, such as the garden. The glazed side screens will further mitigate noise impact on neighbours as they will reflect noise inwards. It is therefore unlikely that the use of the proposed balcony will cause a nuisance in terms of noise.

Outlook:

The diagrams below indicate that outlook for neighbours at no.7 and no.3 will not be negatively affected because of the proposed balcony.

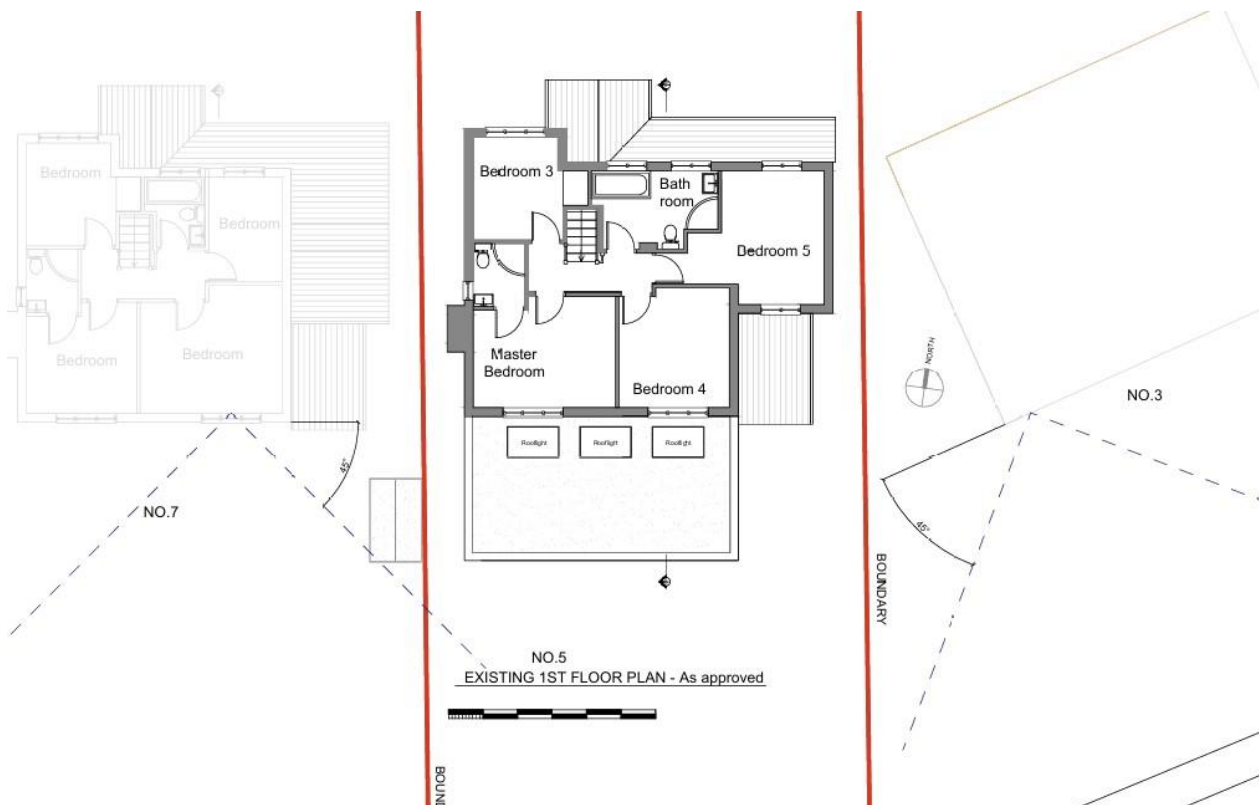


DIAGRAM SHOWING NEIGHBOUR'S OUTLOOK AS APPROVED

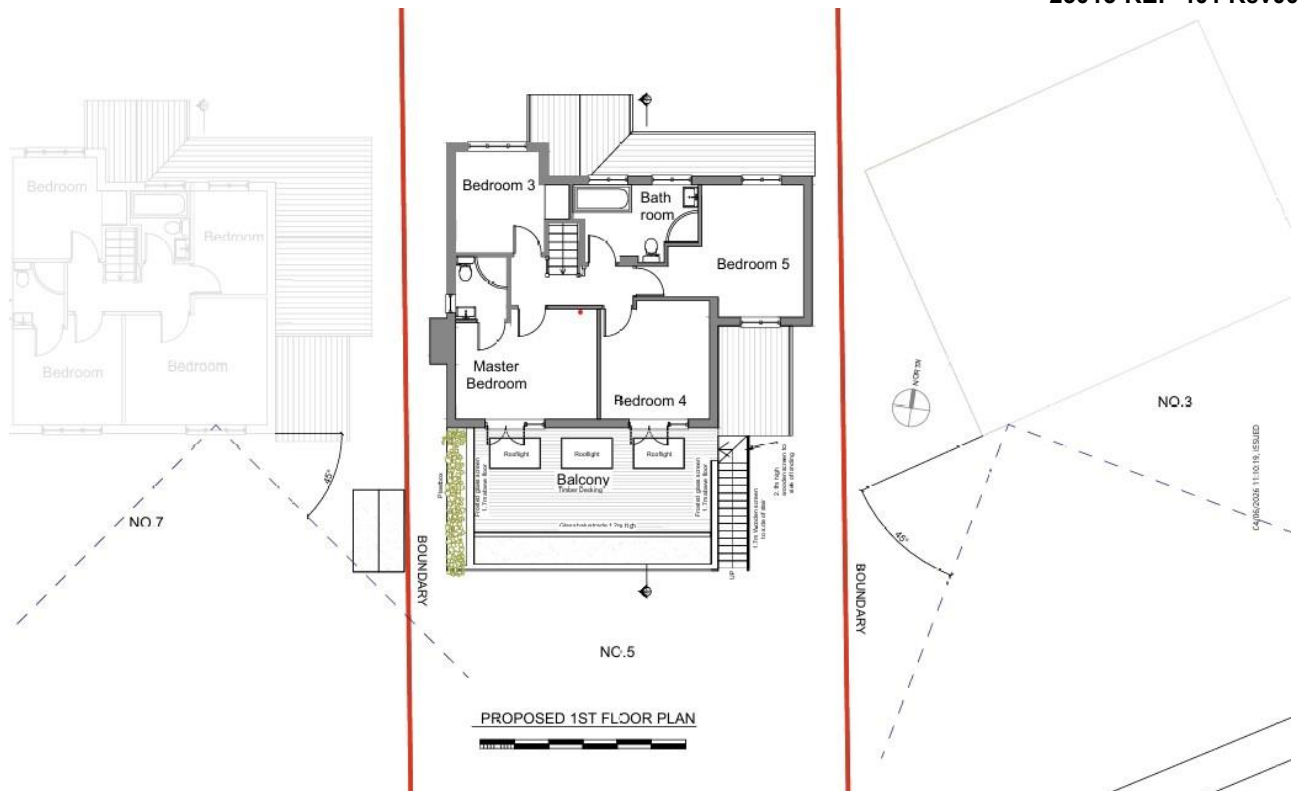


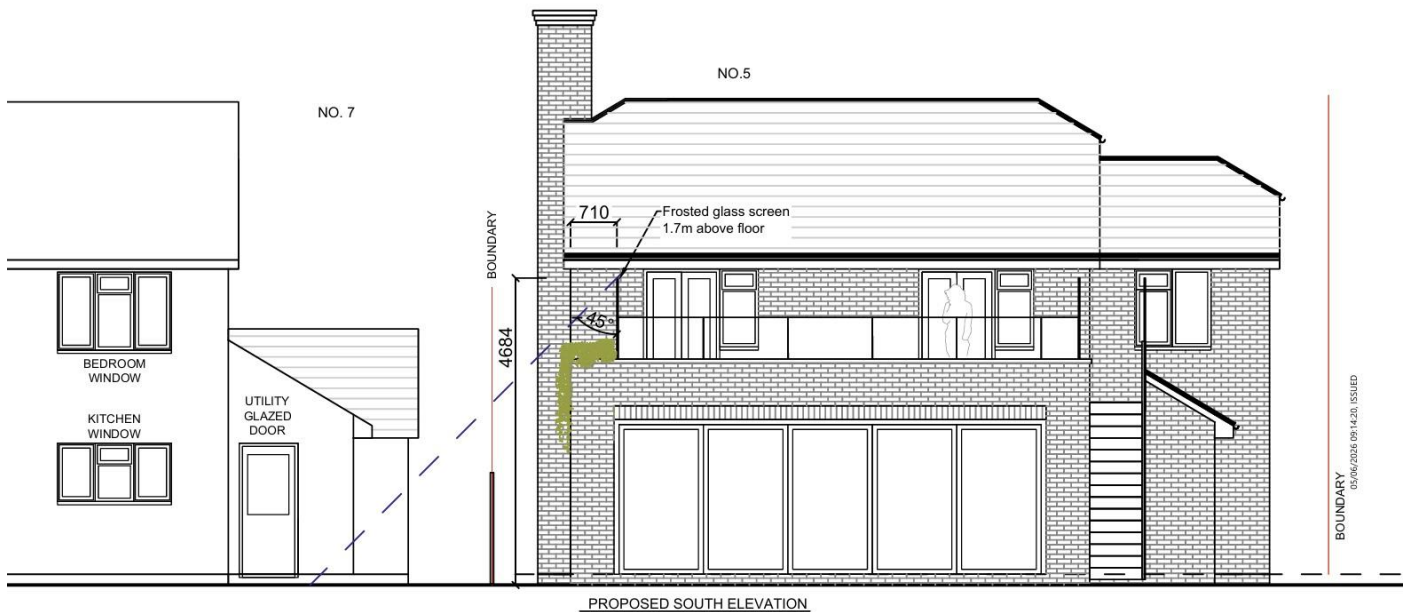
DIAGRAM SHOWING NEIGHBOUR'S OUTLOOK AS PROPOSED

Impact on daylight and sunlight:

No.3 is well removed from the subject property and therefore not likely to be affected by the proposed Balcony.

For no.7, BRE parameters were applied to test if the proposed Balcony will have any harmful effect in terms of sunlight and daylight. The diagram below shows that windows to habitable rooms are well away, outside the 45° BRE line. There are no side facing windows at no.7, therefore the 25° BRE line is not relevant.

It is therefore concluded that the proposed Balcony will have no impact on no.7 or no.3 as far as sunlight or daylight is concerned.



Overbearing:

Overbearing effect on no.3

No 3 is well away from the subject site and faces away from the proposed Balcony, therefore not affected in any way by the proposal.

Overbearing effect on no.7:

Although overbearing is a subjective term, the BRE 45° rule was used to evaluate the increased impact due to the proposed balcony.

On the diagrams below, shown hatched in yellow is the space where overbearing may already be experienced because of the approved rear ground floor extension at no.5

The yellow hatch shows the extent of a 45° line drawn on elevation from the edge of the existing parapet of the approved rear ground floor extension. It is noted that a large expanse of the yellow hatched area is where the garden shed of no.7 is situated.

The red hatch indicates an increase of 492mm wide on the floor for a 45° line drawn from the top of the proposed glass screen facing no.7. It is a marginal increase affecting the space where the neighbours have their bins stored and where the garden shed is accessed.

To reduce the effect of overbearing:

- The glass screen (measured from the ground as 4.68m high) is set inwards from the edge of the balcony by 710mm. The screen therefor is more than 4m away from the neighbour's utility room side wall and is defined as a separate architectural feature.
- This treatment also breaks the visual effect down into smaller elements, and therefore less likely to appear overly overbearing.
- A planter is proposed along the west edge of the proposed balcony facing the neighbour to further soften the impact of vertical hard surfaces and to enhance the visual aspect and by creating a sense of depth.

It is concluded that it is unlikely that the marginal increase of overbearing in this part of the neighbour's property will affect their living conditions in any way.

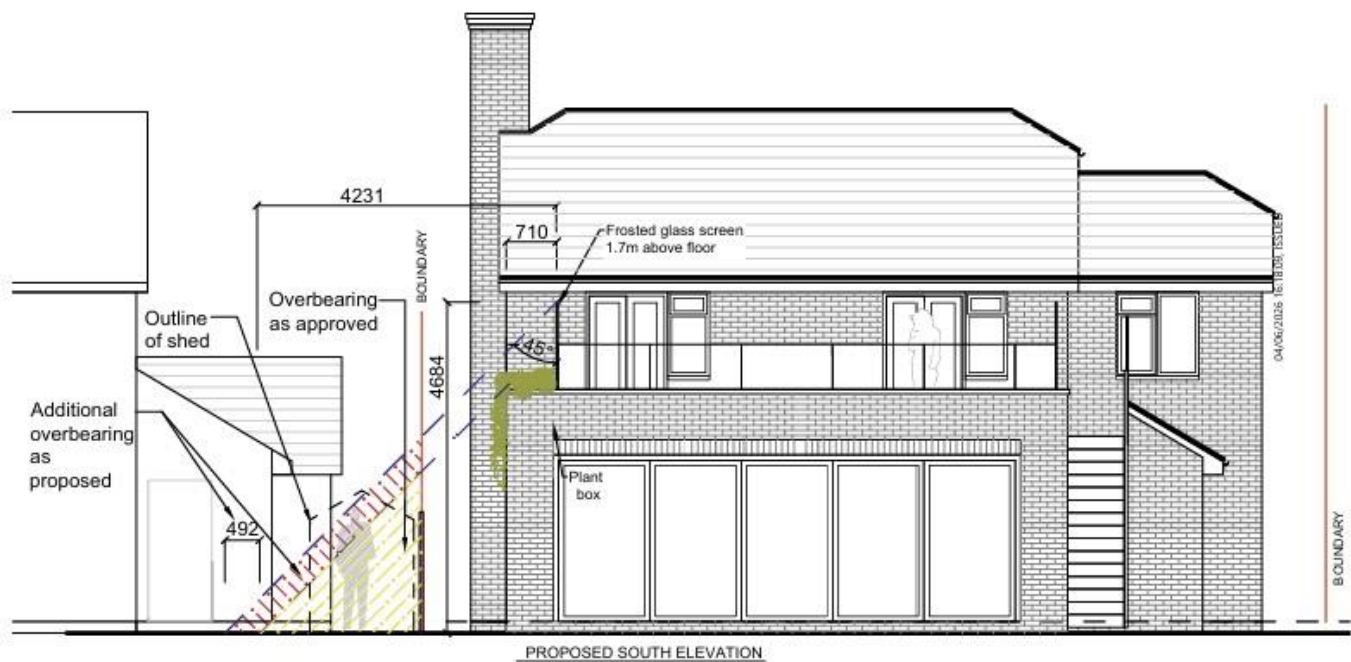
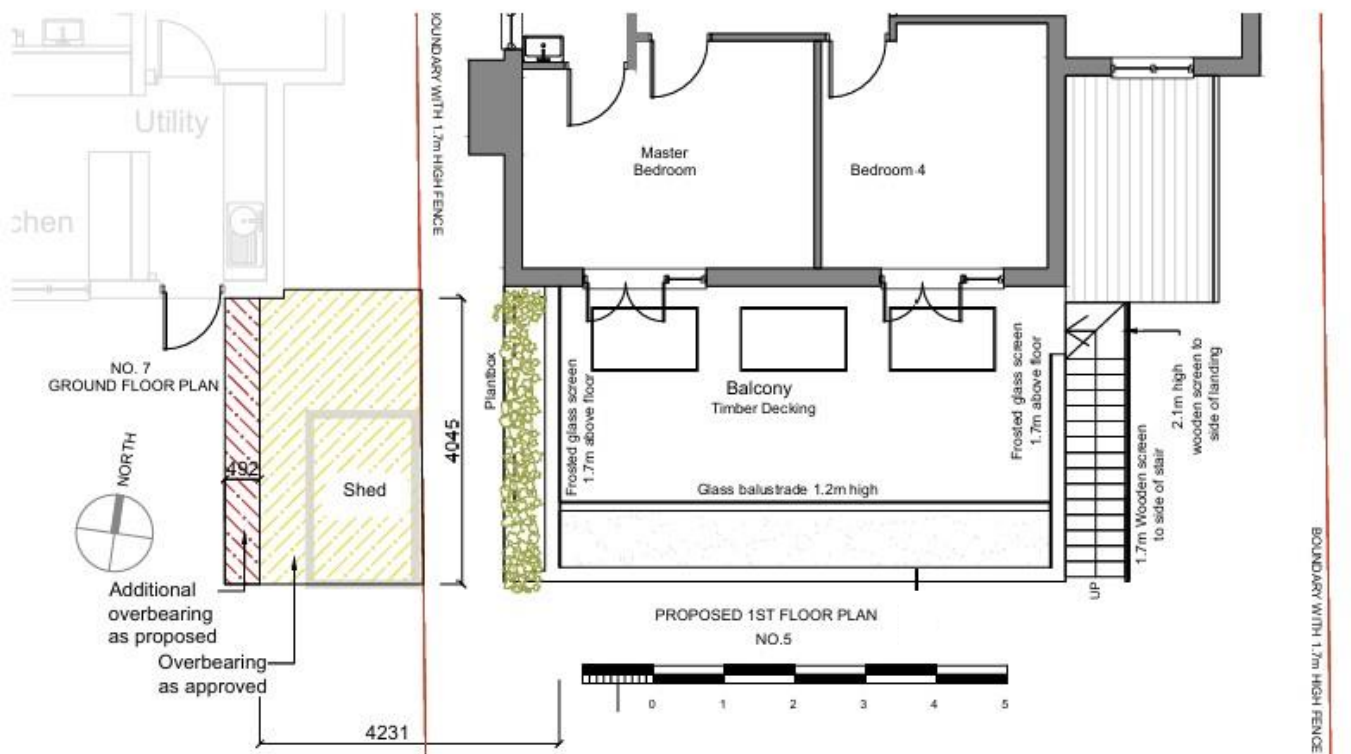


DIAGRAM SHOWING INCREASE OF OVERBEARING

PRECEDENT:

The 71 Cantelupe Road appeal.

The Planning Inspector's decision relating to planning application DM/25/0513 is relevant in that the Inspector accepted that:

- balconies do not automatically result in unacceptable overlooking;
- privacy screening can effectively mitigate overlooking concerns;
- the assessment must consider the actual degree of additional overlooking rather than the mere presence of a balcony.

The decision demonstrates the planning principle that balconies can be acceptable where privacy impacts are appropriately managed.

For No.5, the proposed balustrade set inwards from the edge together with privacy screens form integrated architectural elements that complement the dwelling's materials and proportions whilst effectively mitigates visual impact on neighbours.

HERITAGE: The site is not in a conservation area, and the building is not a listed building.

BIODIVERSITY NETT GAIN: The project is a domestic project and therefore exempt.

TREE PROTECTION ORDER There are no tree protection orders for the site.

PARKING: Parking is not affected by this proposal.

FLOOD RISK: Flood risk was checked for rivers, sea, and surface water.

Results indicated a Very Low Risk for the above. (This area has a chance of flooding of less than 0.1% each year) Flooding is possible in the local area when groundwater levels are high.

CONCLUSION:

The proposal provides additional private outdoor amenity space for the occupiers of No. 5 whilst maintaining acceptable living conditions for neighbouring occupiers. The design incorporates privacy screening, complies with BRE daylight and sunlight guidance, is not overly overbearing, preserves (and enhances) privacy to neighbouring dwellings and accords with Policy EG3 and the wider objectives of the development plan.

Accordingly planning permission should be granted in the best interest of all involved.