

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2997	Case Officer:	Jessica Szollosi
Application Type:	Householder Application		
Proposal:	Retrospective application for the replacement of the rear lean-to		
Site:	57 Cantelupe Road, East Grinstead, West Sussex, RH19 3BL, , , ,		
Validation Date	11 Dec 2025	Overall Expiry Date:	1 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	3 Feb 2026
Target Date:	5 Feb 2026	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	3
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Signed and Agreed By:	<i>Steven King</i>	Date:	3 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2997

**57 Cantelupe Road, East Grinstead, West Sussex, RH19 3BL, , ,
Retrospective application for the replacement of the rear lean-to
Mr Angus Galloway**

SUMMARY OF REPRESENTATIONS

Third-party letters of representation were received from 57A Cantelupe Road, the first floor leaseholder in the same building. The letters raised the following concerns:

- Retrospective nature of the application
- Developments blocks 57A Cantelupe Road's access to the pipes for inspection, repair and maintenance in breach of the lease
- Rear fence height is 2.58 meters

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

East Grinstead Town Council recommended approval of the retrospective planning application.

INTRODUCTION

Retrospective planning permission is sought for the replacement of the rear lean-to.

RELEVANT PLANNING HISTORY

GR/272/85 - Conversion of House into two, one bedroomed self-contained flats - Permission - 1995/11/07

SITE AND SURROUNDINGS

57 Cantelupe Road is a leasehold maisonette property on the ground floor within a two-storey semi-detached dwelling. The dwelling is constructed of brick with white uPVC fenestration and a black tiled roof.

The application site lies in the built-up area of East Grinstead. Neighbouring properties are located to the north and south. Cantelupe Road is located to the east with residential properties over the road and to the west is a cul-de-sac off Little King Street on which commercial, retail and hotel buildings are located on.

APPLICATION DETAILS

Retrospective planning permission is sought for a single storey rear lean-to extension, which replaces a pre-existing rear lean-to extension which was of a similar design, form and scale. The proposed extension would measure some 5.5 metres in length, and some 1.3 metres in width. This would have a slanted roof and a maximum height of some 2.4 metres, slanting down to a height of some 2.2 metres.

The lean-to has been constructed with dark grey uPVC cladding designed walls, white uPVC fenestration and a flat clear polycarbonate roof. The lean-to has two windows and a door which provides

access to the front door of the dwelling on the south elevation. One window is located on the west elevation to the rear of the property.

The development is complete and therefore the application is made under s.73a of the Town and Country Planning Act 1990.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and East Grinstead 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 it is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26: Character and Design

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

East Grinstead Neighbourhood Plan (made 2016)

Relevant policies:

Policy EG3 - Promoting Good Design

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 31 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:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

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 National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

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

- Design and Character
- Impact on Neighbouring Properties
- Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex District Plan 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 EG3 of the East Grinstead Neighbourhood Plan contains a similar ethos and states:

'Planning permission will normally be granted where development proposals meet the following criteria:

- a) The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- b) The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- c) The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*

- d) *The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- e) *The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, should be permeable and provide connectivity with neighbouring areas;*
- f) *New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- g) *The design of new developments must result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour; and*
- h) *Proposals make provision for green infrastructure and biodiversity enhancement. Due to infrastructure constraints within the town, all new development proposals, which generate a net increase in traffic (excluding householder applications), will be required to contribute towards improving the walking and cycle network related to the development and be of a recognised acceptable standard'.*

The Mid Sussex Design Guide SPD also provides advice for extensions to dwellings. Principle DG49 states that:

'Extensions should respond to the design of the original dwelling and applicants will be expected to demonstrate how local character has informed the design proposal. Extensions should also normally be designed to be well-integrated with the existing scale, form and massing allowing the original building to remain the dominant element of the property whether it has one or several additions.'

In terms of rear extensions, principle DG51 states that where they

'...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 application relates to an established residential area of East Grinstead, where properties are of a similar age, design and form.

The proposed single storey lean-to extension is of a modest scale and form and responds appropriately to the existing dwelling. In terms of the materials used, the white uPVC windows match those of the existing dwelling, however, the dark grey uPVC walls do differ from the materials of the existing dwelling and the lean-to would not be considered to integrate seamlessly.

The lean-to is not visible from the street scene on Cantelupe Road given it's siting behind a wall return or from the neighbouring property north of the application site. It is visible from the cul-de-sac on Little King Street, however, this road is characterised by buildings used for commercial, retail and hotel purposes and the lean-to would not detract from street scene. The development is visible to the property south of the site, however, it is obscured behind a close-boarded fence and this property has not commented on the application.

Taking into account the above, whilst the materials used may not match it would not be considered that the development is harmful from a design and character perspective when considering its impact on the existing dwelling and the surrounding buildings, and as such the proposal is deemed to comply with the above part of policy DP26 of the District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and principles DG49 and DG51 of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 in part seeks to ensure that development:

'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 DP29);'

With regards to 59A and 59B Cantelupe Road, the neighbouring property to the north of the application site, the lean-to would not be easily visible from this property given that it is to the south of the application dwelling and set back from the rear wall. Given the above, it is not considered to cause any significant loss of light, overlooking or privacy concerns.

The lean-to would be visible to the property south of the site, namely 55 and 55A Cantelupe Road, however the development would be offset from the shared boundary by a close-boarded fence. The lean-to has two south facing windows, however, given that they are located at ground level behind a close-boarded boundary fence, it would be difficult to see into the neighbouring property from the lean-to. Given the modest scale and form of the single-storey lean-to, and the fact it is located behind a closed boarded fence, it is not considered that there would be any significant concerns regarding overlooking and privacy. Furthermore, for the reasons listed above, the development would not be considered to cause loss of light to 55 and 55A Cantelupe Road.

57A Cantelupe Road is a first floor maisonette located above the development site at ground floor. The development is located behind a side gate and not visible from the entrance of 57A Cantelupe Road which is located forward of the side gate. A portion of the lean-to's roof may be visible from the side window of 57A Cantelupe Road, however, this would not be considered to cause significant harm in terms of outlook and privacy. As the development is located on the ground floor and 57A Cantelupe Road is located on the first floor, no loss of light impacts would be experienced by 57A Cantelupe Road.

Due to the domestic nature of the development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

Other matters

The third party representation received makes reference to the retrospective nature of the application. Whilst the retrospective nature of a planning application is regrettable, the application will be judged on the planning merits without penalty, and it is therefore not a matter which can be taken into account in the determination of the application.

Furthermore, reference is made to the development blocking access to the pipes for inspection, repairs and maintenance in breach of the lease. This would be considered a private legal matter and would not be for consideration in this planning application. The applicant provided supporting documentation with the planning application in the form of Certificate B confirming that all owners with an interest in the application property would be informed of the planning application, thereby fulfilling his duty to the neighbours from a planning perspective.

Lastly, reference was made to the rear boundary fence being 2.58 meters in breach of the lease. Again, this does not form part of the application and is not a matter which can be taken into account in the determination of the application.

PLANNING BALANCE AND CONCLUSION

Whilst the non matching materials used for the lean-to are noted, they would not be considered to cause substantial harm when judging the overall scale, form and siting of the lean-to and no substantial loss of neighbour amenity can be identified.

In conclusion, the proposal is appropriate in terms of design on a planning balance and would not be considered to substantially harm the host dwelling, the character of the area or harm neighbouring amenities.

In light of the above, the proposal would therefore accord with the requirements of policy DP26 of the Mid Sussex District Plan, policy EG3 of the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Jessica Szollosi