

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2717	Case Officer:	Caroline Grist
Application Type:	Householder Application		
Proposal:	Single storey side extension		
Site:	19 Overton Shaw, East Grinstead, West Sussex, RH19 2HN, , , ,		
Validation Date	25 Nov 2024	Overall Expiry Date:	6 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Feb 2025
Target Date:	20 Jan 2025	Recommending Officer Signature:	<i>Caroline Grist</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	18 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2717

**19 Overton Shaw, East Grinstead, West Sussex, RH19 2HN, , ,
Single storey side extension
Mr And Mrs House**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Drainage Engineer

Final Response

The application is supported by a Flood Risk Assessment completed by JNF Architecture Limited

Subject to the development's floor levels being set and the mitigation measures as per the flood risk assessment we have no objection to this development on flood risk grounds.

Any amendments to the drainage on site can be managed via building regulations and building control, as necessary.

Southern Water

Following on from the Weekly list sent on 6th December 2024, Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Surface water should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations.

Any new connections to the public sewerage system will require a New Sewer Connection application (we sometimes refer to this as a Section 106) to be submitted and approved by Southern Water.

Due to changes in legislation that came in to force on 01 October 2011 regarding the future ownership of sewers it is possible that some previously owned private sewers now deemed to be public could also be crossing the above property which are not shown on the Southern Water records. Therefore, should any other sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and the potential means of access before any further works commence on site.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought for a single storey side extension.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

SITE AND SURROUNDINGS

19 Overton Shaw is a detached, west facing, two storey dwelling. It is constructed of brick, with a pan tile roof and brown upvc windows. The dwelling has integral double garage to the side, whose pitched roof connects to provide a ground floor front projection and canopy porch. It also benefits from a conservatory to the rear.

The application site is located within of the built up area of East Grinstead. Neighbouring dwellings are located to the north, south and east, whilst the highway is to the west. The dwelling is set back from the highway by a paved driveway.

APPLICATION DETAILS

Planning permission is sought for a single storey side extension, which is to be positioned behind the double garage and would involve the removal of a shed. The extension would allow the existing kitchen to be enlarged and would also include a sitting and dining area. It is to be some 5.3 metres wide and 7.0 metres deep, of which 2.3 metres would project beyond the main rear elevation. A flat roof design is proposed that would have an approximate hight of 3.0 metres.

It is proposed to finish the extension in materials to match the host dwelling.

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 Allocations 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 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

Mid Sussex Site Allocations Document (DPD)

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

There are no relevant policies.

East Grinstead Neighbourhood Plan

The East Grinstead Neighbourhood Plan was made in November 2016.

Relevant policies:
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 31st October 2024. There are unresolved objections to the majority of 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

DPS6 - Health and Wellbeing

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)

ASSESSMENT

Design and impact to neighbouring amenity

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 DP27);*
- 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'.*

East Grinstead Neighbourhood Plan policy EG3 states:

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

- o *The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- o *The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- o *The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- o *The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- o *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;*
- o *New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- o *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*
- o *Proposals make provision for green infrastructure and biodiversity enhancement'.*

The Mid Sussex Design Guide is also considered to be relevant and 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.

Extensions should typically use simple, uncomplicated building forms to complement 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'.

Principle DG50 relates specifically to side extensions and states that:

'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 application site is situated within an established residential area of East Grinstead, where dwellings are of a similar age and design.

Planning permission is sought for a single storey side extension. It is considered that the proposed extension would be of a scale and form that would appear subordinate to the host dwelling. Whilst a flat roof design has been chosen, the overall design would still respond appropriately to the main house and the use of materials to match would provide a consistent finish.

The extension is proposed to the side of the house, however it is to be positioned behind the existing integral garage. Due to the height of the extension it would not be readily visible from public vantage points and, as such, would not have an adverse impact on the character of the streetscene.

Policy EG3 of the East Grinstead Neighbourhood Plan states that proposals should "not harm" adjoining neighbours amenity whereas policy DP26 of the Mid Sussex District Plan states that development should 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. There is therefore some conflict between the District Plan and Neighbourhood Plan in

this respect. 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. As such, policy DP26 is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

The proposal would be positioned closest to 20 Overton Shaw, which is situated to the south of the application site. This neighbour has patio doors closest to the shared boundary and there is an established fence between the two properties. No. 20 is set away from the shared boundary and the extension would also be set back by approximately 1.1 metres. Whilst the proposed extension would project some 6.0 metres beyond the rear elevation of No. 20, given the separation distance and the height of the addition, it is considered that a significant loss of light or outlook would not arise.

No windows are proposed that would result in any direct overlooking. Given the domestic nature of the proposal, it is considered that there would not be an harmful impact in terms of noise, air or light pollution.

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.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan and policy EG3 of the East Grinstead Neighbourhood Plan and is therefore considered acceptable.

Decision: Permission

Case Officer: Caroline Grist