

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1394	Case Officer:	Catherine Cardin
Application Type:	Full Application		
Proposal:	Proposed single storey extension and porch.		
Site:	North End School, North End, London Road, East Grinstead, West Sussex, RH19 1QQ, ,		
Validation Date	3 Jul 2025	Overall Expiry Date:	22 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	26 Sep 2025
Target Date:	28 Aug 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	6
--	--	-------------------------------	---

Signed and Agreed By:	<i>Steven King</i>	Date:	3 Oct 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1394

**North End School, North End, London Road, East Grinstead, West Sussex, RH19 1QQ,
Proposed single storey extension and porch.**

Mr Nick Porter

SUMMARY OF REPRESENTATIONS

The initial plans submitted received three objections. These raised concerns regarding:

- Heritage and character of the building
- Traffic congestion
- Overbearing impact
- Loss of outlook
- Misleading statement of childcare capacity
- Increased capacity of the nursery
- Potential unauthorised development
- Impact on neighbouring properties
- Trees not declared
- Misleading description of canopy structures

The revised plans submitted received two objections. These raised concerns regarding:

- Misleading statement of childcare capacity
- Increased capacity of the nursery
- Noise and disturbance
- Misleading site description
- Accuracy of submitted plans
- Traffic congestion
- Traffic and parking concerns
- Unapproved or misleading site descriptions
- Heritage and character of the building

SUMMARY OF CONSULTEES

WSCC Highways Authority

This application is for a proposed single storey extension and porch. The site is located on London Road, an A-classified road subject to a speed limit of 30mph in this location.

The proposed extension and porch would constitute an increase of 8.5sqm of floorspace for the existing nursery. The LHA would not raise any highway safety concerns to the proposal. No alterations to the existing access or parking arrangements are proposed. The LHA would not anticipate that the proposal would result in a material increase in vehicle movements to or from the site.

It is acknowledged that the main nursery building has previously been utilised as a nursery, but has not been in use since late 2023 due to building safety issues, and is being renovated; with the adjacent building known as 'The Nest' currently being utilised for childcare provision. As such, the use of the site as a nursery has been established for some time. An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents at the access onto London Road. There is no evidence to suggest that the access is operating unsafely, or that the proposal would exacerbate an existing safety concern.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to

the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

MSDC Flood risk and drainage

No objection.

Southern Water

No objection.

TOWN COUNCIL OBSERVATIONS

Recommend Approval.

INTRODUCTION

The planning application seeks permission for a single storey extension and porch.

RELEVANT PLANNING HISTORY

GR/233/90- Outline application - construction of 4 self-contained flats. Permission.

GR/105/92- Change of use to B1. Permission.

02/01298/FUL- Replacement of first floor window by a door. New external stairs to this door (on the secondary smaller building on the site). Permission.

05/00044/FUL- Erect single storey extension to rear of property to provide new kitchen. Permission.

11/03054/FUL- Covered area and new mezzanine floor in existing hall. Permission.

14/04563/FUL- Sub division of existing 2 bedroom house to form 2no 1 bedroom flats. Withdrawn.

SITE AND SURROUNDINGS

North End School is a two-storey detached building of red brick construction with white upvc windows and a plain tile roof. The application property is set back from the highway and benefits from car parking to the front of the property which accommodates 10 cars. The property also benefits from a play area to the rear with a canopy structure. To the west of the application site is The Nest, a children's day care nursery. To the rear of the property is an area of private allotment gardens.

The application site lies within the built-up area boundary of East Grinstead. Neighbouring properties lie to the east and west. Highway is to the north.

APPLICATION DETAILS

The application seeks to construct a single storey extension and porch.

The single storey extension would be located on the front (northeastern) elevation and would measure some 3.1 metres in width and some 3.2 metres in depth. This would have a gabled roof with a height to the ridge of some 5.8 metres and a height to the eaves of some 5.4 metres. It is proposed to install a partially glazed white upvc door on the front elevation. The extension would have brickwork and roof tiles to match the existing. It is proposed to use this as an entrance lobby.

The porch extension would be located on the front (northeastern) elevation and would measure some 2.9 metres in width and some 2.4 metres in depth. This would have a gabled roof with a height to the ridge of some 4.5 metres and a height to the eaves of some 3.2 metres. Plans show that this would have a timber frame construction with a brick base. The porch would have brickwork and roof tiles to match the existing.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and Haywards East Grinstead 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:

DP21 - Transport

DP26 - Character and Design

DP41 - Flood risk and Drainage

Site Allocations DPD

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

No relevant policies.

Neighbourhood Plan

East Grinstead Neighbourhood Plan made in 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 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

DPS4 - Flood risk and Drainage

DPB1 - Character and Design

DPT4 - Parking and Electric Vehicle Charging Infrastructure

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 NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Guidance

National Design Guide/Code

Published in 2021, the National Design Guide illustrates how the government consider well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

Paragraph 134 of the NPPF sets out that this national document, along with the National Model Design Code, should be used to guide decisions on application in the absence of locally design guides or design codes.

ASSESSMENT

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

- Character and Design
- Flood risk and drainage
- Neighbouring amenities
- Highway Issues
- Other matters
- Biodiversity Net Gain

Character and Design

Policy DP26 of the Mid Sussex District Plan relates to Character and Design and 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'.*

Policy EG3 of the East Grinstead Neighbourhood Plan relates to design and states that:

'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.'

Principle DG38 of the MSDC Design Guide relates to designing buildings with architectural integrity and a sense of place and states in part that:

'Good architecture involves the successful co-ordination of proportions, materials, colour and detail. Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context and modern living requirements. This includes:

- o The elevational treatment and overall façade design;*
- o The placement, proportions and design of windows, doors and balconies;*
- o A roofscape and form that creates a harmonious composition and minimises the visual impact of downpipes and guttering;*
- o The appropriate incorporation of dormer windows and chimneys;*
- o An appropriate palette of good quality materials that are preferably locally sourced.*

It is considered that the proposal would appear modest in scale and follows the form and appearance of the existing building. The building is also set well back from the road. It is considered that the proposed gabled roof design of the extension and porch respond appropriately to the existing building roof pitch. As the proposal includes external wall and roof materials to match the existing, it is considered that the design would provide a consistent finish. With regards to the impact on the wider streetscene, there are a variety of designs and, as such, it is considered that the proposed scheme would be in keeping with the existing character of the area.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and principle DG38 of the Mid Sussex Design Guide SPD.

Flood risk and drainage

Policy DP41 of the District Plan relates to flood risk and drainage and states in part that:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

MSDC drainage and flood risk engineers were consulted on the application. They have raised no objection, subject to the proposed development incorporating all flood mitigation and resilience measures set out within the Flood Risk Assessment. A condition can be attached to any consent to ensure that the development is carried out in accordance with these details.

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);'

To the west of the site is 7 North End, which would be some 6.4 metres from the proposed development. The development would largely be screened by the nursery to the west of the application site and no windows are proposed on the western elevation. It is therefore not considered that the proposal would give rise to overlooking concerns. Given the modest nature of the proposal and the separation distance it is not considered that the proposal would cause harm to the light and outlook available of this neighbour.

To the east of the site is 6 North End, which would be some 8.6 metres from the proposed development. Given the modest single storey nature of the proposal and the separation distance, it is not considered that the proposal would cause significant harm to the outlook or the light available to this neighbour, nor is it considered that it would have a significant overbearing impact. As the extension will be screened by the application property itself, it is not considered that the proposal would give rise to overlooking concerns.

Concerns have been raised regarding increased noise and disturbance because of the proposal. However, due to the relatively small-scale nature of the proposed development, the partial screening of the development by the nursery on the western side of the site and the distance to neighbouring properties, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan.

Highway Issues

The proposal should be considered with reference to District Plan Policy DP21, which states:

'Development will be required to support the objectives of the West Sussex Transport Plan 2011-2026, which are:

- o A high quality transport network that promotes a competitive and prosperous economy;*
- o A resilient transport network that complements the built and natural environment whilst reducing carbon emissions over time;*
- o Access to services, employment and housing; and*
- o A transport network that feels, and is, safer and healthier to use.*

To meet these objectives, decisions on development proposals will take account of whether:

- o The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy);*
- o Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up;*
- o The scheme is designed to adoptable standards, or other standards as agreed by the Local Planning Authority, including road widths and size of garages*
- o The scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;*
- o Development which generates significant amounts of movement is supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;*
- o The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside of the district, secured where necessary through appropriate legal agreements;*
- o The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- o The scheme protects the safety of road users and pedestrians; and*
- o The scheme does not harm the special qualities of the South Downs National Park or the High Weald Area of Outstanding Natural Beauty through its transport impacts.*

Where practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles. Neighbourhood Plans can set local standards for car parking provision provided that it is based upon evidence that provides clear and compelling justification for doing so'.

Concerns have also been raised regarding traffic congestion and parking at the site. These concerns have been noted. The Local Highway Authority have been consulted on the application and have

provided a response. They do not consider that the proposal would result in a material increase in vehicle movements to or from the site. They state that there is no evidence to suggest that the access is operating unsafely, or that the proposal would exacerbate an existing safety concern. They have therefore concluded that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network and have therefore raised no objection to the proposal.

The proposed single storey extension and porch is therefore considered to accord with the aims of District Plan Policy DP21.

Other matters

It is noted that concerns have been raised regarding increasing the capacity of the nursery. However, the submitted plans do not propose to increase the current capacity of the nursery. The submitted planning statement outlines that the proposed extension and refurbishment works would provide approximately 60 places in total across the site. This would represent an increase of 3 places from the 57 places total, quoted in the most recent Ofsted report from 2021, but lower than historic levels of 65 places. To address the concerns raised, a planning condition will be imposed to limit the number of children at the site to 60 as referred to by the applicants in their submissions.

The Council do not have a record of a planning permission being obtained for the use of the site as a childrens nursery. An application for a Certificate of Lawful Development (existing) has not been submitted to date. However, given the evidence available to the Local Planning Authority, were one to be submitted it would be considered that the existing use as a nursery would be lawful as it has been registered as such for in excess of 10 years. Given that the nursery does not have planning permission it is therefore considered that a planning condition restricting the number of places at the site to 65 is considered reasonable to ensure that the numbers remain at an acceptable level.

The proposed works to the building would facilitate it being brought back into use as a childrens nursery. The provision of such facilities is supported by paragraph 100 of the NPPF and this lends support to the proposal.

In addition, concerns have been raised regarding the accuracy of submitted plans and the potential for unauthorised development. The revised plans submitted have been amended to remove a canopy structure to the rear of the property which was included in the original plans.

The nearest tree to the proposal is a mature oak to the south of the application site and some 13 metres from the proposal. The tree is not protected by a Tree Preservation Order or by virtue of being in a Conservation Area. Given that this is a mature tree and that the proposal is to be sited away from the tree, it is not considered that the proposal would have any direct impact on it. Furthermore, there is an existing area of hardstanding surrounding the tree and there is currently foot traffic around the Root Protection Area, so it is not considered that the proposal would cause any significant change to this. As such, the proposal is deemed to accord with the policy requirements of DP37 of the DSDC District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

The proposal is considered to be appropriate in terms of design, size and scale to the building and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policies DP21, DP26, D41 of the Mid Sussex District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and the relevant provisions of the NPPF. The application is therefore recommended for approval.

Decision: Permission

Case Officer: Catherine Cardin