

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1118	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Proposed two storey extension to rear and proposed porch to front elevation.		
Site:	9 Nightingale Close, East Grinstead, West Sussex, RH19 4DG, , , ,		
Validation Date	5 May 2026	Overall Expiry Date:	29 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Jun 2026
Target Date:	30 Jun 2026	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
--	--	-------------------------------	---

Signed and Agreed By:	<i>Steven King</i>	Date:	24 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1118

**9 Nightingale Close, East Grinstead, West Sussex, RH19 4DG, , ,
Proposed two storey extension to rear and proposed porch to front elevation.
Mr And Mrs Wayman**

SUMMARY OF REPRESENTATIONS

There was one letter of representation received in response to the proposed development. The letter raised concerns with regard to the proposal exacerbating the car parking issues along the street. It was also commented that the extension would be too big for the size of the road.

SUMMARY OF CONSULTEES

Southern Water: No objection.

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: No comment.

INTRODUCTION

The application seeks planning permission for the development of a two storey rear extension and a single storey front porch.

RELEVANT PLANNING HISTORY

DM/18/2151 - Proposed two storey extension to front and single storey kitchen extension to rear of dwelling. Permission 13.07.2018.

DM/21/1175 - First floor side and rear extension. Permission 11.05.2021.

SITE AND SURROUNDINGS

The application relates to 9 Nightingale Close, a detached two storey dwelling which is set to the north-western side of the highway and provided access through a tarmacked front driveway. The existing dwelling appears to have previously been extended through a two storey side extension which reflects the existing two storey hipped roof projecting element. The property is provided further garden amenity space to the rear, which has a rear patio area as well as a single storey canopy outbuilding. In terms of materials, the existing dwelling is composed of brick and render to the exterior walls, a tiled roof and white uPVC windows.

There are a number of brick built detached properties set within regular intervals to either side of Nightingale Close of a traditional appearance. Some properties have been modified through the use of various external materials and finishes, such as render to their principal elevations. Furthermore, a number of dwellings have extended through the form of a number of different rear elevation additions.

With regard to policy constraints, the site is located within the East Grinstead built up area.

APPLICATION DETAILS

The proposal would develop a two storey extension to the rear of the dwelling which would measure at approximately 4.8m in maximum length, 3.5m wide, 4.9m high to the eaves and 6.7m high to the ridge.

Furthermore, a new single storey front porch would be developed which would measure at circa 1m in length, 5.2m wide and 2.4m high to the eaves and 3.5m high to the top of the lean-to roof slope.

Proposed external materials would comprise brick and render to the walls and a tiled roof.

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 the 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

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 November 2016)

Relevant Policies:

Policy EG3 - Promoting Good Design

Policy EG12 - Car Parking

Mid Sussex District Plan 2021-2039 Consultation Draft

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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

DPS1 - Climate Change

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) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 115-117, 131, 135 & 139.

West Sussex County Council Revised Guidance for Parking Provision (2018)

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 Amenities
- Other Matters
- Biodiversity Net Gain

Design and Character

Policy DP26 of the 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 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'*

Policy EG3 of the East Grinstead Neighbourhood Plan seeks to promote good design through the following measures:

- '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.'*

Principle DG49 of the Mid Sussex Design Guide states:

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

Additionally, Principle DG50 as set out within the Design Guide, relates to front extensions:
'Front extensions are more likely to be acceptable where the building line is staggered or where the dwelling is set well back from the road. They are less likely to be acceptable in streets with a strong consistent building form as they risk disrupting the underlying order.'

In terms of rear extensions, principle DG51 states:
'Rear extensions which 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'

It is considered that various dwellings throughout the street have been extended and modified over time. There is some variance in external facing materials throughout the streetscene, with some properties using render whilst others utilise facing brickwork. Various dwellings display differing footprints to one another and are positioned to either side of the street as it slopes down moving from north-east to south-west.

The proposed two storey rear extension is considered to be positioned within a visually discrete position with regard to the streetscene with only glimpsed views offered from the south-east looking to the north-west. It is considered that the proposed rear extension would increase the overall bulk, size and scale of the property. The proposal would likely reflect the existing two storey double hipped projection through the use of a proposed hipped roof form.

Although the proposed extension would be of a two storey scale, it is considered that the offset from the existing ridge height of circa 0.7m would allow for the extension to be read as a later addition. The use of matching external materials would likely further help the extension embed and assimilate with the existing.

To the principal elevation, a new single storey porch would be developed which would utilise both a lean to and pitched roof design. It is considered that the porch would be clearly subservient towards the main dwelling. It is considered that the proposed front porch would not break an established uniform building line. The proposed porch would likely help establish the main entrance point to the dwelling.

Accordingly, the proposal is considered to comply with the provisions of policy DP26 of the Mid Sussex District Plan and policy EG3 of the East Grinstead Neighbourhood Plan in terms of character and design.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 of the District Plan 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);'

When considering impact upon neighbouring amenity, policy DP26 of the District Plan states that development proposals 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. Policy EG3 of the Neighbourhood Plan states that the development should not harm amenity.

In cases where there is a discrepancy between District and Neighbourhood Plan policies, legislation states that greater weight should be given to the Plan (and policy) that has been adopted at a later date. In this instance the East Grinstead Neighbourhood Plan was made in November 2016 and the Mid Sussex District Plan adopted in March 2018. As such, it is considered that greater weight should be

given to the District Plan policy, DP26, with the test being whether the proposal would result in significant harm to neighbouring amenities.

The proposed development would be sited approximately 1m away from the shared boundary with No.8 to the south. There is a rear elevation window serving an en-suite and landing as well as an obscured glazed bathroom window to the side elevation at first floor level at No.8.

In terms of light impact to the rear windows, Principle DG47 of the Design Guide states among other matters that all dwellings should benefit from daylight and sunlight levels that conform to BRE (Better Regulation Executive) standards. Further guidance is set out within the "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" document. The "45 degree approach" should be taken whereby a 45 degree line is drawn from the top of the elevation and a second 45 degree line is taken from the end of the projection. If the neighbouring properties window lies within the centre of both lines, then the building will likely cause a significant reduction in light received to the concerned window. This guidance is taken as a rule of thumb and each planning application is assessed based on its own merits.

Furthermore, the 25 degree test may be applied in a similar manner but in the case that a window is sited opposite the proposed development.

When assessed against the 45 degree test, the existing rear elevation windows would likely fail in both plan and elevational format. Furthermore, the bathroom window opposite would likely fail the 25 degree test. Due to the sloping topography of the locality, No.8 is set at a lower finished floor level than No.9 and the limited separation distance contributes towards the proposed developments failure to comply with these tests.

Despite failing the daylight and sunlight tests, it is considered that the affected windows serve non-habitable rooms which utilise obscured glazing, with the exception of the landing window. Furthermore, these windows are considered to receive a limited amount of direct sunlight from the area where the proposed extension would be sited. The windows would only receive a limited amount of direct sunlight in the morning hours, but by virtue of the extensions siting to the north-east. It is therefore considered that whilst there would be some loss of light experienced by these windows, this would not be so significant to warrant a refusal on this basis.

There is also a roof lantern to the existing single storey rear flat roof projection at No.8 which would be set within close proximity to the proposed extension. It is considered that this roof lantern would still receive sufficient diffused light due to the extensive size and level of glazing. As such, it is considered that the proposal would not result in significant harm through overshadowing in this regard.

Accordingly, the proposal is considered to comply with the provisions of policy DP26 of the Mid Sussex District Plan and policy EG3 of the East Grinstead Neighbourhood Plan in terms of neighbouring amenities.

Other Matters

Concerns have been raised in response to the proposed development regarding the extensions potential to exacerbate an existing parking issue along the street. However, the proposal would not alter the existing offroad parking arrangement and the proposed front porch would not build over a significant area of the front driveway. Furthermore, the proposal would not increase the quantum of bedrooms and therefore would not be required to demonstrate further allocated parking spaces in line with West Sussex County Council's Parking Guidance.

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 is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not significantly harm neighbouring amenities.

The proposal will comply with Policies DP26 of the District Plan, Policy EG3 of the East Grinstead Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas