

## Delegated Decision

### Sign off Sheet

|                                              |                                                                |                                        |                      |
|----------------------------------------------|----------------------------------------------------------------|----------------------------------------|----------------------|
| <b>Ref. No:</b>                              | DM/25/0322                                                     | <b>Case Officer:</b>                   | Tracie Axford        |
| <b>Application Type:</b>                     | Householder Application                                        |                                        |                      |
| <b>Proposal:</b>                             | Proposed single storey rear extension                          |                                        |                      |
| <b>Site:</b>                                 | 37 Linden Avenue, East Grinstead, West Sussex, RH19 1LS, , , , |                                        |                      |
| <b>Validation Date</b>                       | 7 Feb 2025                                                     | <b>Overall Expiry Date:</b>            | 5 Mar 2025           |
| <b>Pre-Commencement Conditions Required:</b> |                                                                | <b>Pre-Com Conditions Date Agreed:</b> |                      |
| <b>Recommendation:</b>                       | Permission                                                     | <b>Recommendation Date:</b>            | 18 Mar 2025          |
| <b>Target Date:</b>                          | 4 Apr 2025                                                     | <b>Recommending Officer Signature:</b> | <i>Tracie Axford</i> |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |                    |              |             |
|------------------------------|--------------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | <i>Steven King</i> | <b>Date:</b> | 18 Mar 2025 |
| <b>Comments:</b>             |                    |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/0322**

**37 Linden Avenue, East Grinstead, West Sussex, RH19 1LS, , ,  
Proposed single storey rear extension  
Mr Williams**

### **SUMMARY OF REPRESENTATIONS**

None received

### **SUMMARY OF CONSULTEES**

Southern Water - no objections to this proposal.

### **EAST GRINSTEAD TOWN COUNCIL COMMENTS**

No Comment

### **INTRODUCTION**

This application seeks planning permission to replace the existing rear conservatory with a single storey rear extension.

### **RELEVANT PLANNING HISTORY**

DM/24/2829 - Application for Lawful Development Certificate -Proposed. Proposed single storey rear extension and side extension. WITHDRAWN

### **SITE AND SURROUNDINGS**

No. 37 Linden Avenue is a detached 1950s bungalow situated within a row of similar properties on the northeastern side of Linden Avenue. The dwellinghouse has been extended to the rear with a conservatory and benefits from a long driveway to the northwest, with detached single garage set back to the rear. The property is set back from the highway by a front garden and to the rear is a private garden.

The application site lies in the built-up area of East Grinstead. Land levels slope gently down to the north west. Opposite the dwellinghouse is an open green space

### **APPLICATION DETAILS**

The plans show that the existing conservatory to the rear of the bungalow will be replaced with a single storey extension that projects approximately 4 metres from the original rear wall of the dwelling. The extension will measure approximately 6.9 metres wide matching the existing width of the bungalow and will have a height of approximately 3 meters. A flat roof is proposed with 2 no. velux skylights.

The extension will be finished with facing brickwork to match the existing dwelling and will include French doors to the north (side) elevation, providing access to the garden. The rear elevation will include 3 No. windows looking out to the rear garden. Internally, existing walls will be removed to reconfigure the space as an open plan living/kitchen/dining area.

### **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 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.

## **East Grinstead Neighbourhood Plan**

The Neighbourhood Plan was made on the 2nd November 2016 and forms part of the development plan.

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

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**

The main issues deemed relevant to this application are design and impact on the character of the area, and impact on neighbouring amenities.

## **Design and Impact on character of area**

Policy DP26 of the District Plan relates to character and design and states in part that:

*'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 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);'

At neighbourhood plan level, policy EG3 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;*
- f) New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment;'*

In addition to the above, the Council's Design Guide SPD is a material planning consideration with design principles DG49 and DG51 deemed relevant to this application.

DG49 relates to general principles for extensions and recommends that *'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.'*

Principle DG51 relates specifically to rear extensions and states the following:

*'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.'*

The proposed extension is of a contemporary design with a flat roof and French doors to the side elevation providing access to the rear garden. The footprint proposed of the rear extension is larger than the existing conservatory, however the projection from the original rear wall of the dwelling of approximately 4 metres will remain very similar to that of the existing conservatory. The proposed extension will match the existing width of the bungalow.

The eaves height of the proposed extension is shown to be higher than the existing eaves of the roof which although not ideal in terms of design, will have limited visual impact due to its siting at the rear of the property, therefore being relatively well screened in views from the public realm. It is also noted that similar roof extensions with higher eaves height have been erected to the rear of no. 35 and no. 39 Linden Avenue.

In view of the above, it is not considered that the proposal would have a harmful impact upon the appearance and character of the area, therefore will accord with policy DP26 of the District Plan and policy EG3 of the Neighbourhood Plan.

## **Impact on amenity**

Policy DP26 of the District Plan refers to amenity and 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 development proposals should '*not harm adjoining amenity*'.

Where there is a conflict 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 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 District Plan policy DP26, with the test being that the proposal does cause significant harm to neighbouring amenities.

Plans show that extension will be sited approximately 5 metres from the northern boundary and 4 metres from the southern boundary replacing an existing conservatory at a very similar depth. The extension will have a higher roof than the existing conservatory, however this should not result in any loss of light to the neighbours on either side, nor will it give rise to any significant loss of outlook or privacy. Given the domestic nature of the proposed development, it is not considered that there will be any significant harm or impact in terms of noise, air or light pollution. The proposal therefore accords with policy DP26 of the 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. 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**

The proposed extension is considered acceptable in that it should not detract from the character and appearance of the area and also should not be significantly harmful to neighbouring amenities in terms of affecting light levels, outlook or privacy. The proposal therefore accords with policy DP26 of the Mid Sussex District Plan and policy EG3 of the East Grinstead Neighbourhood Plan.

Decision:       Permission

Case Officer: Tracie Axford