

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1035	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	The erection of a front extension to enlarge a galley kitchen.		
Site:	8 Kennedy Avenue, East Grinstead, West Sussex, RH19 2DE, , , ,		
Validation Date	23 Apr 2025	Overall Expiry Date:	15 May 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Jun 2025
Target Date:	18 Jun 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	11 Jun 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1035

**8 Kennedy Avenue, East Grinstead, West Sussex, RH19 2DE, , ,
The erection of a front extension to enlarge a galley kitchen.
Mr Joshua Wetheral**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

SOUTHERN WATER

No objection.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for a single storey front extension.

RELEVANT PLANNING HISTORY

DM/24/2881- The erection of a rear dormer loft conversion. Permission.

SITE AND SURROUNDINGS

8 Kennedy Avenue is an east facing, semi-detached dwelling. It is constructed of red bricks, with timber weatherboarding at the first-floor level, pantile roof and uPVC windows. Highway is to the east. To the front of the dwelling is a small garden area and a public footpath is located beyond.

The site is located within the built-up area of East Grinstead. To the northeast of the site is a row of private garages, whilst neighbouring dwellings are to the north, west and south. The site is on an incline that goes from east to west.

APPLICATION DETAILS

Planning permission is sought to replace an existing flat roofed porch with a single storey front extension.

The extension would be some 5 metres in width and some 2 metres in depth.

A pitched roof is proposed that would measure some 2.6 metres to the eaves and would have a maximum height of some 3.5 metres.

It is proposed to construct 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 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.

Neighbourhood Plan

East Grinstead Neighbourhood Plan made in 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 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

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

- Design and Character
- Neighbouring Amenities
- Biodiversity Net Gain

Design and Character

Policy DP26 of the Mid Sussex District Plan relates to design and character 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."*

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 surrounding residential area is characterised by semi-detached dwellings that are of the same age and design. There are a variety of porch and front extensions within the streetscene.

In terms of design, there is no requirement for a proposed extension to remain consistent with the existing building line. Each application is assessed on its own merits in accordance with relevant local and national policy. It is acknowledged that the extension would protrude beyond the existing building line; however, it would still appear modest in scale. The current porch is of a flat roofed design that is clad in upvc. It is considered that the proposed addition would be of a more sympathetic design to the dwelling. With regards to the impact on the wider streetscene, there are a variety of front extensions 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 the relevant principles of the Mid Sussex Design Guide SPD.

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 Policy DP29);"

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.

With regards to neighbouring amenity, it is acknowledged that the proposed extension would be sited on the shared boundary with No. 6 and would be of a larger footprint; however, it is considered that the impact of this development would be restricted to this neighbour's porch. Daylight and sunlight to the habitable rooms of the property would not be significantly harmed. Given the scale of the extension, it would not have an adverse impact regarding outlook and there are no side windows which would result in loss of privacy. The residential nature of the proposed development would also ensure that the scheme would not have an unreasonable impact with regards to noise, air and light pollution.

It is considered that unacceptable harm will not be caused to the amenities of neighbouring properties in terms of loss of privacy, overbearing impact or loss of daylight and sunlight. Therefore, in terms of neighbouring amenities, the proposal complies with Policy DP26 of the District Plan, policy EG3 of the East Grinstead Neighbourhood 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.

PLANNING BALANCE AND CONCLUSION

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

In conclusion, the proposal complies with Mid Sussex District Plan policy DP26, 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