

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2820	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Proposed single storey side extension to replace conservatory		
Site:	5 Kings Copse, East Grinstead, West Sussex, RH19 4TH, , , ,		
Validation Date	3 Nov 2025	Overall Expiry Date:	18 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Feb 2026
Target Date:	29 Dec 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	19 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2820

**5 Kings Copse, East Grinstead, West Sussex, RH19 4TH, , ,
Proposed single storey side extension to replace conservatory
Mrs K Lewis**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Tree Officer - *'I have no objections to this application. Please condition adherence to AIA.'*

EAST GRINSTEAD TOWN COUNCIL OBSERVATIONS

East Grinstead Town Council expressed no comment regarding this application.

INTRODUCTION

The application seeks planning permission for a single storey side extension to replace the existing conservatory.

RELEVANT PLANNING HISTORY

None

SITE AND SURROUNDINGS

The property is a detached 4 bed house in an established residential close of similar properties close to the centre of East Grinstead. The house benefits from two off street parking spaces at the front of the house. Externally the house has external facing brick and hanging tiles. The property is split over different levels accounting for the sloped setting.

To the rear, the garden extends from the side elevation and slopes upwards. It is surrounded by hedgerows and trees. It is in the built up area of East Grinstead.

APPLICATION DETAILS

This application seeks permission for a single storey side extension to replace the existing conservatory. The extension will have a similar footprint to the existing conservatory. The existing conservatory measures approximately 6.3m across the side elevation, with a depth of approximately 4.9m and a maximum height of 3m. The replacement extension will have the same depth, but will be slightly wider at 6.7m and higher with an overall height of 3.6m. It is proposed to have a pitched roof with 2 no. rooflights, doors leading to the rear garden and a window on the rear elevation.

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.

East Grinstead Neighbourhood Plan

The East Grinstead Neighbourhood Plan was 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:

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.

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 properties
- Impact on trees
- Biodiversity Net Gain

Design and Character

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:

- is of high quality design and layout and includes appropriate landscaping and greenspace; - 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;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*

- protects open spaces, trees and gardens that contribute to the character of the area;
- protects valued townscapes and the separate identity and character of towns and villages;
- 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);
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- positively addresses sustainability considerations in the layout and the building design;
- 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;
- optimises the potential of the site to accommodate development.'

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.'

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'

The proposed rear extension is designed to complement the existing dwelling in both style and appearance using materials which will match the existing dwelling. It is appropriate in scale and will remain subservient to the main dwelling. Visibility will be minimal from the public domain and will therefore have no significant impact on the character of the area.

It is therefore concluded that the proposal is considered to comply policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on 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 states that proposals should "not harm" adjoining neighbours amenity whereas policy DP26 of the MSDP 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 of the MSDP 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 proposed extension will not extend further than the existing rear conservatory and views of the extension will be limited from the neighbouring properties. No. 4 Kings Copse will be closest to the proposal, however there will be no impact in terms of light, privacy or overlooking as the side elevation facing the extension has no windows. There will therefore be no impact to neighbouring amenities in terms of privacy, outlook, daylight and sunlight, and noise, air and light pollution.

It is therefore considered that the proposals will not result in any significant impact to the neighbouring amenities, so the proposal is deemed to comply with policy DP26 of the Mid Sussex District Plan.

Impact on Trees

Policy DP37 of the Mid Sussex District Plan deals with Trees, Woodlands and Hedgerows and states (in part), *'Trees, woodland and hedgerows will be protected and enhanced by ensuring development:*

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- prevents damage to root systems and takes account of expected future growth; and*
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- has appropriate protection measures throughout the development process; and*
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and*
- the contribution of the trees to the character and visual amenity of the local area; and*
- the amenity and nature conservation value of the trees; and*
- the extent and impact of the works; and*
- any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.'

The MSDC tree officer was consulted with regards to this application and reviewed the tree report and stated that she had no objection but requested that a condition is added stating adherence to the AIA. Your Planning Officer agrees with this assessment and therefore, in terms of impact to trees, the proposal is deemed to comply with policy DP37 of the Mid Sussex 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

In conclusion, the proposal is appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, it will have an acceptable impact upon trees and will not result in harm towards neighbouring amenities.

The proposal will comply with Policies DP26 and DP37 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: Tracie Axford