

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0152	Case Officer:	Tanya Leete
Application Type:	Householder Application		
Proposal:	Retrospective application for proposed porch to front elevation following a design change.		
Site:	71 Blackwell Farm Road, East Grinstead, West Sussex, RH19 3JW, , , ,		
Validation Date	20 Jan 2025	Overall Expiry Date:	14 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Feb 2025
Target Date:	17 Mar 2025	Recommending Officer Signature:	<i>Tanya Leete</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	19 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0152

**71 Blackwell Farm Road, East Grinstead, West Sussex, RH19 3JW, , ,
Retrospective application for proposed porch to front elevation following a design change.
Mr Z Miah**

SUMMARY OF REPRESENTATIONS

SUMMARY OF CONSULTEES

None received

TOWN/PARISH COUNCIL OBSERVATIONS

Defer to Officer

INTRODUCTION

Retrospective application for proposed porch to front elevation following a design change.

RELEVANT PLANNING HISTORY

DM/22/1789 Proposed 2 storey extension to rear elevation and new porch to front elevation. Permission 29.07.2022

DM/21/0913 Single storey extension to rear, and new porch to front. Permission 29.04.2021

14/04009/HOUS | Replacement front porch | Permission 23.12.2014

SITE AND SURROUNDINGS

The existing property is a two-storey detached residential property on the western side of Blackwell Farm Road, East Grinstead. The property is characterised by brown brickwork, with a gable ended roof and white uPVC windows.

The character of the road is mixed with three storey flatted development to the south, as well as terraced and semi-detached housing.

The site is within the built-up area of East Grinstead.

APPLICATION DETAILS

This application seeks planning permission, retrospectively, for a front porch.

The porch measures 1.8m depth, 4.3m width, 2.5m to the eaves and an overall height of 3.2m. The porch has a mono-pitched roof and materials to match the existing property, door and window to the front 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 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

The East Grinstead Neighbourhood Plan has been made and is a material planning consideration with full weight. The relevant policy is:

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 the majority of 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:

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 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

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:

- *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."*

A similar ethos is contained within the Mid Sussex Design Guide SPD.

East Grinstead Neighbourhood Plan policy EG3 states:

'Planning permission will normally be granted where development proposals meet the following criteria:

- *The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- *The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- *The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- *The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- *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;*
- *New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- *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*
- *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.'

Principle DG50 relates to front and side extensions and states:

'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.'

Where front extensions are considered acceptable, they should normally be limited to a modest single storey or porch-type extension that reflect the character of the existing property

Side extensions should normally be subservient to the original dwelling and typically be set-back from the front of the house to help define the original building.

The gaps between dwellings can sometimes positively contribute to articulating (for example, through the consistent rhythm of repeated houses) and adding interest in a street frontage or by providing views / visible connections to the surrounding countryside. Side extensions will therefore need to appropriately respond to the character of the street form and will not normally be accepted where they close an important gap and view.'

The proposed porch is of a style and size as suggested by principle DG50 of the Mid Sussex Design Guide, and is set back from the road. Therefore, the proposal is deemed to be in character with the appearance of the wider streetscene and complies with DP26 of the Mid Sussex District Plan, EG3 of the East Grinstead Neighbourhood Plan, the relevant principles of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF.

Neighbouring Amenities

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.

Given the nature of the proposal, it is considered that no significant harm to the amenities of neighbours will arise from loss of privacy, overbearing impact or loss of daylight or sunlight.

Therefore, in terms of neighbouring amenities, the proposal complies with DP26 of the Mid Sussex District Plan and EG3 of the East Grinstead Neighbourhood 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 considered to be appropriate in terms of design, size, and scale to the dwellinghouse and locality and would not cause significant harm to the amenities of neighbouring properties. The application is also exempt from the requirement to provide biodiversity net gain. Therefore, the proposal complies with policy DP26 of the Mid Sussex District Plan, the MSDC Design

Guide SPD, policy EG3 of the East Grinstead Neighbourhood Plan, and with the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Tanya Leete