

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0107	Case Officer:	Peter Davies
Application Type:	Prior Notification - Larger Extensions		
Proposal:	Erection of a single storey rear extension extending beyond the rear wall of the original house by 6.00 metres, to a maximum height of 2.43 metres and height of the eaves to 2.43 metres.		
Site:	1 Hillside Close, East Grinstead, West Sussex, RH19 2DW, , , ,		
Validation Date	17 Jan 2025	Overall Expiry Date:	13 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Prior Approval is Granted	Recommendation Date:	21 Feb 2025
Target Date:	28 Feb 2025	Recommending Officer Signature:	Peter Davies

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	24 Feb 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0107

**1 Hillside Close, East Grinstead, West Sussex, RH19 2DW, , ,
Erection of a single storey rear extension extending beyond the rear wall of the original house by 6.00 metres, to a maximum height of 2.43 metres and height of the eaves to 2.43 metres.
Mr Rahman**

LETTERS OF REPRESENTATION

One third-party letter of representation has been received in respect of this application from a neighbouring property. It objects for the following reasons:

- Lack on information including no specified width and whether the conservatory is to be removed or not.
- Lack of clarity over the proposed height.

INTRODUCTION

The proposal is seeking prior approval for a single storey rear extension at 1 Hillside Close East Grinstead RH19 2 DW.

SITE AND SURROUNDINGS

The application property is a two-storey detached dwelling located on the north side of Hillside close just off Alders View Drive, within the built-up area boundary of East Grinstead.

The application property has a pitched roof with a catslide roof on the front elevation. The dwelling is constructed from brick with interlocking roof tiles and anthracite fenestration. The dwelling is set back from the highway with an integrated front garage and off-street parking. The application property faces sideways to the highway with hedging and small trees along the highway boundary. The locality is characterised by two-storey detached and semi-detached dwellings of similar form and design.

APPLICATION DETAILS

The proposed rear extension will have a width and depth of approximately 5.0 metres and 6.00 metres. the extension will have a maximum eaves height and overall height of 2.43 metres. The existing conservatory is to be removed.

LIST OF POLICIES

The proposal will be tested against the relevant criteria of Part 1, Class A Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

Class A - enlargement, improvement or other alteration to a dwellinghouse

Permitted Development

- A. The enlargement, improvement or other alteration of a dwellinghouse.

Development Not Permitted

A.1 Development is not permitted by Class A if -

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

- (b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50 % of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.
- (e) The enlarged part of the dwellinghouse would extend beyond a wall which-
 - i. forms the principal elevation of the original dwellinghouse; or
 - ii. fronts a highway and forms a side elevation of the original dwellinghouse
- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and -
 - i. Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - ii. Exceed 4 metres in height;
- (g) for a dwellinghouse not on article 2(3) land nor a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and -
 - i. Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - ii. Exceed 4 metres in height;
- (h) The enlarged part of the dwellinghouse would have more than a single storey and -
 - i. Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, and
 - ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
- (i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres
- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would
 - i. Exceed 4 metres in height,
 - ii. Have more than one storey, or
 - iii. Have a width greater than half the width of the original dwellinghouse;
- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j)
- (k) It would consist of or include -
 - i. The construction or provision of a veranda, balcony or raised platform,
 - ii. The installation, alteration or replacement of a microwave antenna,
 - iii. The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - iv. An alteration to any part of the roof of the dwellinghouse.
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if-

- (a) It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) The enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (b) and (c).

Conditions

A.3 Development is permitted by Class A subject to the following conditions -

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be -

- i. Obscure-glazed, and
 - ii. Non opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

A.4.—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(2) Before beginning the development the developer shall provide the following information to the local planning authority—

(a) a written description of the proposed development including—

- i. how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - ii. the maximum height of the enlarged part of the dwellinghouse; and
 - iii. the height of the eaves of the enlarged part of the dwellinghouse;
 - iv. where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined);
- (b) a plan indicating the site and showing the proposed development and any existing enlargement of the original dwellinghouse to which the enlarged part will be joined;

(c) the addresses of any adjoining premises;

(d) the developer's contact address; and

(e) the developer's email address if the developer is content to receive communications electronically.

Together with any fee required to be paid.

(3) The local planning authority may refuse an application where, in the opinion of the authority—

(a) the proposed development does not comply with, or

(b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

(4) Sub-paragraphs (5) to (7) and (9) do not apply where a local planning authority refuses an application under sub-paragraph (3) and for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(5) The local planning authority must notify each adjoining owner or occupier about the proposed development by serving on them a notice which—

(a) describes the development by setting out the information provided to the authority by the developer under paragraph A.4(2)(a);

(b) provides the address of the proposed development;

(c) specifies the date when the information referred to in sub-paragraph (2) was received by the local planning authority and the date when the period referred to in sub-paragraph (10)(c) would expire; and

(d) specifies the date (being not less than 21 days from the date of the notice) by which representations are to be received by the local planning authority.

(6) The local planning authority must send a copy of the notice referred to in sub-paragraph (5) to the developer.

(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.

(8) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.

(9) The local planning authority must, when considering the impact referred to in sub-paragraph (7)—

(a) take into account any representations made as a result of the notice given under sub-paragraph (5); and

(b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

(10) The development must not begin before the occurrence of one of the following—

(a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;

- (b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
- (c) the expiry of 42 days following the date on which the information referred to in subparagraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.
- (11) The development must be carried out—
- (a) where prior approval is required, in accordance with the details approved by the local planning authority;
- (b) where prior approval is not required, or where sub-paragraph (10)(c) applies, in accordance with the information provided under sub-paragraph (2), unless the local planning authority and the developer agree otherwise in writing.
- (12) The local planning authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.
- (16) When computing the number of days in sub-paragraph (5)(d), any day which is a public holiday must be disregarded.

ASSESSMENT

The Town and Country Planning (General Permitted Development) (England) Order 2015, allows single storey rear extensions to a detached dwellinghouse by up to 8 metres in depth beyond the rear wall of the original dwellinghouse.

In order to benefit from this new permitted development right, before beginning the development, the developer is required to notify the Local Planning Authority (LPA) who is then required to notify the immediately adjoining owners/occupiers.

Where any owner/occupier of any adjoining premises objects to the proposal development, the prior approval of the LPA is required as to the impact of the proposed development on the amenity of any adjoining premises. As noted above, the only matter that the LPA can consider with this prior approval process is the impact on the amenity of any adjoining premises. "Amenity" is however not defined anywhere in the regulations.

In this case one letter of objection has been received from the attached neighbouring property at no. 3 Hillside. The concerns are noted however the existing and proposed floor plans show the conservatory is to be removed and replaced with the proposed extension as well as showing the extension to have a width of 5.0 metres. The measurements of the maximum height confirm that the eaves height and overall height at the highest part will be no higher than 2.43 metres.

The proposed extension is single storey and would be located up to the southern boundary which is marked by a brick wall. The neighbouring property is to the rear of the application site. Due to the location of the and single storey nature of the extension it is not considered to cause significant harm to the neighbouring amenities.

CONCLUSION

In conclusion, due to the scale, position and design of the proposed extension it is not considered to cause significant harm to the amenities of nearby properties in terms of its impact upon sunlight and daylight and privacy.

Decision: Prior Approval is Granted

Case Officer: Peter Davies