

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3081	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension and two storey side extension.		
Site:	Magnolia House, 12 Lynton Park Avenue, East Grinstead, West Sussex, RH19 3XB, , ,		
Validation Date	11 Dec 2025	Overall Expiry Date:	10 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Feb 2026
Target Date:	5 Feb 2026	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:	16 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3081

**Magnolia House, 12 Lynton Park Avenue, East Grinstead, West Sussex, RH19 3XB, ,
Proposed single storey rear extension and two storey side extension.
Mr Wei Yu**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water

No objection.

MSDC Flood risk and drainage

No objection.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought for a single storey rear extension and two storey side extension.

RELEVANT PLANNING HISTORY

No relevant planning history.

SITE AND SURROUNDINGS

12 Lynton Park Avenue is a detached two-storey dwelling. The property is characterised by buff brick, white upvc windows and a hipped roof with pantile roof tiles. The property benefits from an integral garage and off-street parking to the front of the property to accommodate approximately two cars.

The property is located within the built-up area boundary of East Grinstead. Neighbouring properties are located to the east and west. Highway is located to the north. An ordinary watercourse lies to the south of the site.

APPLICATION DETAILS

The application seeks planning permission for a proposed single storey rear extension and two storey side extension.

The two-storey side extension would measure some 6.6 metres in width and some 2.7 metres in depth. This would have a hipped roof, with a height to the ridge of some 7.6 metres and a height to the eaves of some 5.1 metres. This would be finished in external materials to match the existing. It is proposed to use this as a bedroom and two ensembles.

The single storey rear extension would measure some 5.9 metres in width and some 3.1 metres in depth. This would have a flat roof with a maximum height of some 2.6 metres. This would be finished in external materials to match the existing. It is proposed to use this as a kitchen.

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

DP41 - Flood Risk and Drainage

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

Relevant policies:

No relevant policies

Neighbourhood Plan

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:

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPS4 - Flood Risk and Drainage

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.

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
- Flood risk and drainage
- Parking
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape. In part the policy requires proposals to be of a high-quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

This ethos is also reflected under policy EG3 of the Neighbourhood Plan.

Principle DG49 states in part that *'extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling.'*

DG50 relates to side extensions and states in part that *'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.'*

DG51 relates to rear extensions and states that: *'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 two storey side extension is considered to be of an appropriate scale and design to the existing property. It is considered that the proposed hipped roof of the side extension responds positively to the character of the existing building. The proposal would not close an important gap or view and the proposed design is considered to address the side boundary and adjacent buildings to the west appropriately. The proposed single storey rear extension is considered to be of an appropriate scale and design to the existing property. It is considered that the proposed flat roof of the rear extension responds appropriately to the character of the existing building. As the rear extension would not be visible from the street, it is not considered that this would be harmful to the character of the area. In addition, the proposal includes wall and roof materials to match the existing so it is considered that the development would provide a consistent finish. Similar additions have been completed at no. 16 and no.18. It is therefore considered that the side extension responds appropriately to the character of the street form. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and the Mid Sussex Design Guide.

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states 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 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 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.

To the western side is 10 Lynton Park Avenue. Whilst it is considered that the proposed two-storey extension would cause a loss of light and outlook, it is considered that the level of harm that would occur would not be significant enough to warrant the refusal of this application. As the two-storey side extension would have a hipped roof, which would slope away from these neighbours, it is not considered that the development would cause significant overshadowing or enclosure. The proposal includes a window on the side elevation at first floor level to serve an ensuite. An obscure glazed window can be secured by a suitably worded condition should permission be granted. The single storey rear extension is considered to be modest in nature, and it is not considered that this would cause a significant loss of and outlook to this neighbour.

To the eastern side is 14 Lynton Park Avenue. Given the single storey nature of the rear extension and that the development would be offset from the shared boundary by some 10.3 metres, it is not considered that the proposal would be harmful to the amenities of this neighbour.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause significant harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan.

Parking arrangements

Policy DP21 of the District Plan states that to meet the objectives of the West Sussex Transport Plan 2011- 2026, decisions on development proposals will take account of whether: *'the scheme provides adequate car parking for the proposed development taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;.*

West Sussex County Council Parking Standards Guidance (2020) outlines the County Council's approach to parking at new developments to ensure that sufficient parking is provided to meet the needs of the development while maintaining highway network operations, protecting surrounding communities and pursuing opportunities to encourage use of sustainable modes of transport. The property currently has three bedrooms. West Sussex County Council Parking Standards Guidance (2020) outlines that for a 4-bedroom dwelling in this location that 3 parking spaces should be provided. The proposal would retain the existing garage space and external parking space at the front of the house which accommodates two cars.

In addition, there are no restrictions on the surrounding roads that would prevent on road parking.

It is therefore considered that, in this instance, the proposal would be acceptable in terms of highways impact. Therefore, the proposal is deemed to comply with policy DP21 of the Mid Sussex District Plan and the WSCC Parking Standards Guidance.

Flood risk and drainage

Policy DP41 relates to flood risk and drainage and requires development to demonstrate it is safe across its lifetime and not increase the risk of flooding elsewhere. It states in part that:

'Proposals for development will need to follow a sequential risk-based approach, ensure development is safe across its lifetime and not increase the risk of flooding elsewhere. The District Council's Strategic Flood Risk Assessment (SFRA) should be used to identify areas at present and future flood risk from a range of sources including fluvial (rivers and streams), surface water (pluvial), groundwater, infrastructure and reservoirs.

Particular attention will be paid to those areas of the District that have experienced flooding in the past and proposals for development should seek to reduce the risk of flooding by achieving a reduction from existing run-off rates.

The application site is at very low risk of fluvial flooding and very low to high surface water flood risk. MSDC Flood risk and drainage were consulted on the application and have provided a response. They have not raised an objection to the proposal. The proposal is therefore considered to comply with the relevant criteria policy DP41 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 proposal is considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, and would not cause significant harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policy DP21, DP26 and DP41 of the Mid Sussex District Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin