

## Delegated Decision

### Sign off Sheet

|                                              |                                                                   |                                        |              |
|----------------------------------------------|-------------------------------------------------------------------|----------------------------------------|--------------|
| <b>Ref. No:</b>                              | DM/25/1656                                                        | <b>Case Officer:</b>                   | Peter Davies |
| <b>Application Type:</b>                     | Householder Application                                           |                                        |              |
| <b>Proposal:</b>                             | Proposed ground floor cloakroom.                                  |                                        |              |
| <b>Site:</b>                                 | 145 Charlwoods Road, East Grinstead, West Sussex, RH19 2JE, , , , |                                        |              |
| <b>Validation Date</b>                       | 3 Jul 2025                                                        | <b>Overall Expiry Date:</b>            | 30 Jul 2025  |
| <b>Pre-Commencement Conditions Required:</b> |                                                                   | <b>Pre-Com Conditions Date Agreed:</b> |              |
| <b>Recommendation:</b>                       | Permission                                                        | <b>Recommendation Date:</b>            | 27 Aug 2025  |
| <b>Target Date:</b>                          | 28 Aug 2025                                                       | <b>Recommending Officer Signature:</b> | Peter Davies |

|                                                        |  |                               |   |
|--------------------------------------------------------|--|-------------------------------|---|
| <b>Date Legal Agreement Completed: (if applicable)</b> |  | <b>No of Representations:</b> | 0 |
|--------------------------------------------------------|--|-------------------------------|---|

|                              |             |              |             |
|------------------------------|-------------|--------------|-------------|
| <b>Signed and Agreed By:</b> | Steven King | <b>Date:</b> | 27 Aug 2025 |
| <b>Comments:</b>             |             |              |             |

## **MID SUSSEX DISTRICT COUNCIL**

**DM/25/1656**

**145 Charlwoods Road, East Grinstead, West Sussex, RH19 2JE, , ,  
Proposed ground floor cloakroom.  
Mr And Mrs Moreton**

### **REPRESENTATION RECEIVED**

None received.

### **TOWN COUNCIL OBSERVATIONS**

No comment.

### **INTRODUCTION**

The application seeks planning permission a proposed ground floor cloakroom on the side elevation.

### **RELEVANT PLANNING HISTORY**

TA/86/P/0937 - Application transferred from Tandridge District Council following boundary change:  
Erection of 6' high fence next to Charlwoods road and incorporation of land into garden. Permission

### **SITE AND SURROUNDINGS**

The application property is a semi-detached two storey dwelling located on the west side of Charlwoods Road, within the built-up area boundary of East Grinstead.

The semi-detached pair are south facing with the side elevation of the application property facing onto the highway with close board fencing along the boundary. The application property is constructed from brick with black painted timber cladding at first floor level on the front elevation, interlocking roof tiles and white uPVC fenestration. The locality is characterised by two storey dwellings of varying form, scale and design.

### **APPLICATION DETAILS**

The application seeks planning permission for a single storey side extension. The extension will be located on the east side and set back 0.50 metres from the principle elevation with a width and depth of 1.30 metres and 2.85 metres. The extension will have a lean-to roof with an eaves height of 2.55 metres and an overall height of 3.30 metres.

All external materials will be similar in appearance to the existing 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.

## **East Grinstead Neighbourhood Plan (made November 2016)**

Relevant policies:

EG3 - Promoting Good Design

### **Other Material Considerations**

## **Mid Sussex District Plan 2021-2039 Consultation Draft**

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 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)

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

### National Planning Policy Guidance

### *Ministerial Statement and Design Guide*

## **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
- 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.'*

Also relevant in the determination of the application is Policy EG3 of the East Grinstead Neighbourhood Plan, which states:

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

- 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.*

*Due to infrastructure constraints within the town, all new development proposals, which generate a net increase in traffic (excluding householder applications), will be required to contribute towards improving the walking and cycle network related to the development and be of a recognised acceptable standard.'*

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 in part states 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.*

*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 side extension is considered to be of a design, form and scale which would be proportionate and appropriate to the existing dwelling and the character of the area. The extension is single storey and subservient to the main dwelling. The extension will be visible from the highway above the close board boundary fence, however it will be constructed from materials to match the existing dwelling, therefore the proposal is considered to comply with policy DP26 of the District Plan and policy EG3 of the East Grinstead Neighbourhood Plan.

### **Impact on neighbouring properties**

DP26 of the Mid Sussex District Plan 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.

The proposed side extension is single storey and will have no additional windows. The extension is up to the side boundary which faces onto the street scene, therefore the proposal will not create significant harm to neighbour amenities.

The proposal therefore complies with the above-mentioned part of Policy DP26 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 considered to be acceptable in terms of design, size and scale to the dwellinghouse and locality, would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, policy EG3 of the East Grinstead Neighbourhood Plan and with the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision:       Permission

Case Officer: Peter Davies