

Mr And Mrs Kaye
Mr Frank Smith
Frank Smith Architecture
27 Nevis Park
Inverness
IV3 8RX

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

REFUSAL

REFERENCE: DM/26/1444

DESCRIPTION: PROPOSED REAR FIRST FLOOR BALCONY OVER EXISTING APPROVED REAR GROUND FLOOR EXTENSION AND TO INCLUDE A STAIRCASE FROM GROUND TO FIRST FLOOR AND ADDING PATIO DOORS TO SELECTED EXISTING REAR FIRST FLOOR WINDOWS.

LOCATION: 5 DEXTER DRIVE, EAST GRINSTEAD, WEST SUSSEX, RH19 4SU

DECISION DATE: 30 JUL 2026

CASE OFFICER: CATHERINE CARDIN -
CATHERINE.CARDIN@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The proposed first-floor balcony, by reason of its size, depth, elevated position and proximity to the shared boundary with No. 7 Dexter Drive, would result in direct and oblique overlooking of the neighbouring private rear garden. The proposed privacy screen and planter are not considered sufficient to adequately mitigate this harm. The development would therefore result in an unacceptable loss of privacy to the occupiers of No. 7 Dexter Drive, contrary to Policy DP26 of the Mid Sussex District Plan, Policy EG3 of the East Grinstead Neighbourhood Plan, Principle DG45 of the Mid Sussex Design Guide SPD and the relevant provisions of the National Planning Policy Framework.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan			10.06.2026
Site Plan	25015-PLA-402	000	10.06.2026
Existing and Proposed Floor Plan	25015-PLA-403	001	10.06.2026
Existing and Proposed Floor Plan	25015-PLA-404	001	10.06.2026
Existing and Proposed Elevations	25015-PLA-405	001	10.06.2026



Eric Owens
Interim Assistant Director Planning and Sustainable Economy

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APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

- * If this decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*