

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/3005	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Demolition of existing single storey attached garage and erection of two storey side extension and single storey rear extension. Installation of solar panels on the rear roof and Air Source Heat Pump.		
Site:	1 Nightingale Close, East Grinstead, West Sussex, RH19 4DG, , , ,		
Validation Date	10 Dec 2024	Overall Expiry Date:	18 Feb 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	31 Jan 2025
Target Date:	4 Feb 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Steven King</i>	Date:	31 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/3005

1 Nightingale Close, East Grinstead, West Sussex, RH19 4DG, , ,
Demolition of existing single storey attached garage and erection of two storey side extension and single storey rear extension. Installation of solar panels on the rear roof and Air Source Heat Pump.

Mr And Mrs Puddefoot-Knaggs

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Southern Water: Southern water has determined the Flow rate for the above site will remain the same/similar as capacity is not an issue and no southern water assets will be affected. Therefore, Southern water has no objections to this proposal.

Environmental Protection: 'An MCS020 assessment has now been submitted. This indicates a pass, but given that the pass was at the absolute upper limit of acceptability ie 1 dB from being a fail, the applicants should be aware that noise complaints could be received by Env Health, particularly as the background noise levels at Nightingale Close are likely to be low. If "no line of sight" is confirmed, then I recommend approval.'

TOWN/PARISH COUNCIL OBSERVATIONS

Town Council: No comment.

INTRODUCTION

The application seeks planning permission for the development of a side elevation, two storey extension and a rear elevation single storey extension. Solar panels would also be added to the rear roof slope and an air source heat pump (ASHP) would be used.

RELEVANT PLANNING HISTORY

There is no recent history of any planning applications relating to the site.

SITE AND SURROUNDINGS

The application relates to 1 Nightingale Close, a detached two storey residential property with a hipped roof set to the south-eastern side of the road. A tarmacked front driveway and front garden amenity space sets the house back from the roadside and further visual screening is provided through mature front boundary planting and a low brick-built wall. The dwelling is afforded ample garden amenity space to the rear which slopes down in topography moving southwards. The existing dwelling is composed of red brick exterior walls, brown concrete roof tiles and white uPVC windows.

There are a number of brick built detached properties set within regular intervals to either side of Nightingale Close of a traditional appearance. Some properties have been modified through the use of various external materials and finishes, such as render to their principal elevations. Furthermore, a number of dwellings have extended through the form of a number of different rear elevation additions.

With regard to policy constraints, the site is located within the East Grinstead built up area.

APPLICATION DETAILS

The proposal would develop a side (south-western) elevation, two storey extension which would measure at approximately 7m in depth, 3.8m wide, 5m high to the eaves and 7.8m high to the ridge. External materials to this element would comprise matching exterior brickwork, matching brown concrete roof tiles and white uPVC windows.

Additionally, a proposed rear (south-eastern) elevation, single storey extension would be erected and would measure at around 2.7m deep, 9.2m wide and 3.7m high. In terms of proposed external materials, a vertical timber cladding would be utilised to the exterior walls, a dark grey flat roof membrane and black aluminium sliding doors and windows.

A number of solar panels would be installed to the rear (south-eastern) roof slope while an air source heat pump would be placed to the rear of the existing outbuilding to the sites south-western boundary.

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 the 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

East Grinstead Neighbourhood Plan (Made November 2016)

Relevant Policies:

Policy EG3 - Promoting Good Design

Mid Sussex District Plan 2021-2039 Consultation 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 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:

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)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135 & 139.

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 Amenities
- Other Matters
- Biodiversity Net Gain

Design and Character

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;*
- *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'*

Policy EG3 of the East Grinstead Neighbourhood Plan seeks to promote good design through the following measures:

- '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*'.

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 of the Mid Sussex Design Guide elaborates further on what constitutes 'good design' in relation to side extensions:

'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.'

In terms of rear extensions, principle DG51 states:

'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 proposal would add a two-storey extension to the side (south-western) elevation and would utilise matching brickwork to the walls and matching rooftiles. A hipped roof pitch design would also be used and this design is considered to help minimise the extensions perceived bulk and scale despite its two storey appearance. Whilst the proposal would present a fairly large increase in size from the existing arrangement, two storey side extensions are not considered to be uncommon within the sites context, with other dwellings having been extended in similar formats. The use of matching facing materials are considered to help this element of the proposal embed into the existing and an appropriately worded condition ensuring matching materials are used is considered relevant and necessary in the instance that planning permission is granted.

With regards to the single storey rear extension, whilst a more contemporary approach would be taken towards facing materials through the use of vertical timber clad walls in a dark grey stained finish and black aluminium windows, it is not considered that this would be significantly perceivable from the streetscene. The use of non-matching materials in this regard is not considered to be contrary to the guidance as set out within Mid Sussex's Design Guide under DG51 which notes that a more contemporary approach may be taken in a visually discrete context.

In summary, the proposal is considered that the proposal would comply with the provisions of policy DP26 of the District Plan, EG3 of the East Grinstead Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

In terms of impact upon neighbouring amenities, Policy DP26 of the District Plan in part 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 DP29);'

Policy DP29 of the District Plan seeks to protect the environment including, nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of peoples lives against unacceptable levels of noise, light and air pollution. Among other matters, it notes that development will only be permitted where:

'Noise pollution: It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area.

If is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures.'

An air source heat pump would be installed as part of the development proposal towards the sites south-western boundary and therefore has the potential to incur an unacceptable noise impact towards the adjacent neighbouring occupiers at No.2.

An air source heat pump noise level calculation statement was submitted in support of the application in order to establish that the air source heat pump would not give rise to an adverse noise impact. Environmental Protection provided their response which noted that the proposal would pass noise requirements but noted that the assessment was based on there being no line of sight between the ASHP and any neighbouring habitable room. Given the orientation of the neighbouring property at No.2 and the siting of the ASHP it is not considered that the unit would be clearly perceivable from the neighbouring habitable rooms. As it is, views are restricted to obscure angles and the existing shared boundary treatment would likely help obstruct views further. It is also pertinent to note that this issue was not raised through any letters of representation towards the development scheme.

Furthermore, a number of solar panels would be installed to the roofs southern roof slope. BRE guidance states that: *'Glint may be produced as a direct reflection of the sun in the surface of the solar PV panel. It may be the source of visual issues regarding viewer distraction. Glare is a continuous source of brightness, relative to diffused lighting. This is not a direct reflection of the sun but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint.'* Although this guidance relates specifically to scale ground mounted solar PV systems, the definitions of glint and glare are considered to be of use in this instance.

The proposed solar panels are considered to be set at a distance from the adjacent neighbouring properties to the sites south-eastern boundary. Furthermore, the land drops in this direction of these properties to the rear of the site are set at a lower finished floor level to the application property. As the solar panels would be upwardly facing, it is not considered that these would give rise to a significant glint and glare impact.

Accordingly, the proposal is considered to comply with the provisions of DP26 and DP29 of the Mid Sussex District Plan in terms of neighbouring amenities.

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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting, will not result in harm towards neighbouring amenities and result in an acceptable highways impact.

The proposal will comply with Policy DP26 of the District Plan, Policy EG3 of the East Grinstead Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas