

Delegated Decision

Sign off Sheet

Ref. No:	DM/24/2765	Case Officer:	Andrew Horrell
Application Type:	Full Application		
Proposal:	Propose to replace old shopfronts with new shopfronts. Alteration of rear door to a window. New doors and a new gate.		
Site:	174 - 174A London Road, East Grinstead, West Sussex, RH19 1ES, , , ,		
Validation Date	19 Nov 2024	Overall Expiry Date:	16 Dec 2024
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	17 Jan 2025
Target Date:	14 Jan 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	17 Jan 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/24/2765

**174 - 174A London Road, East Grinstead, West Sussex, RH19 1ES, , ,
Propose to replace old shopfronts with new shopfronts. Alteration of rear door to a window. New doors and a new gate.
Mr Piers Vacher**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEE COMMENTS

MSDC Environmental Protection: No objection

TOWN COUNCIL OBSERVATIONS

East Grinstead Town Council: No comment

INTRODUCTION

Planning permission is sought for the replacement of the old shopfronts with new shopfronts and the alteration of rear door to a window and new doors and a new gate.

RELEVANT PLANNING HISTORY

DM/21/1198 - Proposed change of use from retail shop to take away/delivery. (approved)

SITE AND SURROUNDINGS

174/174A is a hipped roofed three storey building with class E unit on the ground floor, with rear flue with maisonette above, with front and side dormers on the first and second floor, face brickwork, upvc and timber doors and windows. The attached pitched roofed building (174B) is characterised by timber doors and windows and face brickwork. To the rear is a parking area for customers and staff use.

To the south-west of the site is a parking area with brick wall to East Grinstead Masonic Centre beyond, to the north-west of the site is the adjoining No.176 and rear of 178 (with an attached shed), to the north-east of the site is the Highway (London Road) and to the south-east of the site is a brick wall to Highway (St James Road) beyond with parking bays.

The site is within the built-up area of East Grinstead.

APPLICATION DETAILS

The existing shopfronts are to be replaced with new shopfronts with new charcoal grey aluminium windows with stall risers below.

The larger front window approximately measure with 2.05m in height and 2.85m in width with 0.45m stallriser below. The smaller front window measures 2.05m in height, 2.35m in width with a 0.45m stallriser below. A new front aluminium door to the restaurant is proposed.

The existing side corner door is to be replaced by a window. The existing side shop window is to be replaced by an approximately 2.10m by 2.85m charcoal grey aluminium window.

External alterations include the replacement of the existing rear door to an approximately 1m by 0.8m window to the cellar and new timber front door serving the flats above and a new approximately 1m by 1.25m wide iron railing gate to the side with St James Road serving a new rear French door.

The kitchen and restaurant to be internally altered.

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, the Sites Allocations 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

East Grinstead Neighbourhood Plan (made November 2016)

Relevant policies:

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 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:

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

ASSESSMENT

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."*

East Grinstead Neighbourhood Plan policy EG3 states:

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

- o *The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- o *The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- o *The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- o *The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- o *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;*
- o *New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- o *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*

- o *Proposals make provision for green infrastructure and biodiversity enhancement.'*

Principle DG38 relates to building designs and a sense of place and states:

'Applicants should establish an architectural approach and identity in the design of building that is borne from the place.

The facade and elevational treatment, roofscape fenestration and materials used in existing buildings within the locality should be a starting point for the consideration of architectural design of new buildings. However, this should not result in pastiche replicas of traditional buildings. Instead a re-interpretation of key aspects of their form should be demonstrated.

Good architecture involves the successful co-ordination of proportions, materials, colour and detail. Buildings should therefore be holistically designed with each part in harmony with its whole while appropriately responding to both its context and modern living requirements. This includes:

- *The elevational treatment and overall façade design;*
- *The placement, proportions and design of windows, doors and balconies;*
- *A roofscape and form that creates a harmonious composition and minimises the visual impact of downpipes and guttering;*
- *The appropriate incorporation of dormer windows and chimneys;*
- *An appropriate palette of good quality materials that are preferably locally sourced'.*

The external alterations to the building are broadly modest and in character with the existing building. The proposed replacement shopfront is deemed in keeping with the existing shopfront and the building.

Therefore, the proposal will comply with policy DP26 of the Mid Sussex District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and principles of the Mid Sussex Design Guide SPD.

Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states that it must be demonstrated that any 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.

The threshold for the related policy within the East Grinstead neighbourhood Plan EG3 states:

'The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity'.

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. Consequently, policy DP26 of the Mid Sussex District Plan 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.

Given the nature of the proposal, significant harm to neighbouring amenities will not be caused. Therefore, the proposal in terms of neighbouring amenities, complies with DP26 of the Mid Sussex District Plan and EG3 of the East Grinstead Neighbourhood 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. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

CONCLUSION

In conclusion, the proposal is considered to be appropriate in terms of design, size and scale to the existing building and the character of the streetscene, would not cause harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policy DP26, EG3 of the East Grinstead Neighbourhood Plan, The Mid Sussex Design Guide SPD and the relevant provisions of the NPPF.

Decision: Permission

Case Officer: Andrew Horrell