

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1225	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Proposed single storey side extension, summer house and tiers to rear garden.		
Site:	44 West Hill, East Grinstead, West Sussex, RH19 4EP, , , ,		
Validation Date	21 May 2025	Overall Expiry Date:	13 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Aug 2025
Target Date:	16 Jul 2025	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	8 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1225

**44 West Hill, East Grinstead, West Sussex, RH19 4EP, , ,
Proposed single storey side extension, summer house and tiers to rear garden.
Mr Mark Secular**

SUMMARY OF REPRESENTATIONS

None received

CONSULTEE COMMENTS

Southern Water:

Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

MSDC Drainage:

The submitted information is considered insufficient. The application site is located within an area at risk from surface water flooding. A Flood Risk Assessment will be required to be submitted at the application stage.

The applicant will need to provide a flood risk assessment which provides evidence that the proposed development will not increase flood risk on site or elsewhere. We would also advise that flood management and mitigation measures in relation to site usage should be included within the report.

Details relating to the surface water drainage and foul water drainage need to be considered at this stage of the application.

The applicant should refer to the MSDC Flood Risk and Drainage Information Check List - Application Stage - <https://www.midsussex.gov.uk/planning-building/flood-risk-and-drainage-for-planning/>

We will then be able to provide further comment once received.

Following additional information MSDC Drainage stated:

We have no objection to the proposed development on flood risk grounds.

As an advisory, we would suggest the Applicant considers the resistance and resilience measures suggested within the EA advice and implements any they deem appropriate due to the increased flood risk in the vicinity of this as a residential site (which are classified as 'more vulnerable').

Drainage should be managed via Building Regulations and Building Control, as necessary.

TOWN COUNCIL OBSERVATIONS

No comment

INTRODUCTION

Planning permission is sought for the erection of a single storey side extension with a summer house and tiers to rear garden.

RELEVANT PLANNING HISTORY

DM/17/2772 - Proposed two storey side and rear extension (including juliette balconies to the first floor), car port to side, associated alterations and landscaping (to include raised decking) (approved)

SITE AND SURROUNDINGS

44 West Hill is a two storey semi-detached concrete tiled pitched roofed dwelling. The walls are characterised by face brickwork and the doors and windows are upvc.

To the east of the site is close boarded fencing to the neighbour beyond, to the west of the site is a mix of close boarded fencing, shrubbery and bamboo fencing to the neighbour beyond, to the south of the site is a severely sloped rear garden with close boarded fencing to woodland beyond.

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

APPLICATION DETAILS

The proposed single storey side extension measures 6.65m in depth, 2.587m in width with an approximate height to eaves of 2.3m and an overall height of 3.65m. This will serve an enlarged kitchen and a shower/WC.

The proposed flat roofed detached summerhouse measures 4m in depth, 6m in width with an overall height of 2.58m. This will serve a sunroom with a shower room.

Alterations to the landscaping of the rear garden are proposed to create additional tiers.

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
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.

There are no relevant policies.

East Grinstead Neighbourhood Plan (made November 2016)

Relevant policies:

EG3 (Promoting Good Design)

Mid Sussex District Plan 2021-2039 Submission 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 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.

DPS4 - Flood Risk and Drainage

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 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 relates specifically to side extensions and states:

'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'.

Outbuildings are widespread within the rear gardens of the streetscene. Side extensions are widespread including a two storey side at No.42 (06/02181/FUL) and No.40 (13/01559/FUL).

The proposed side extension is subservient to the main dwelling and whilst it would be visible from the streetscene, matching materials are to be used. Given the modest size of the proposal, it will not be overdevelopment of the plot.

The outbuilding within the rear garden is a modest size and would be sited within the sloped rear garden, so would not be visible from the streetscene.

The landscaping alterations to the garden to create additional tiers will make it less steep and would not be out of keeping with the site and would not be visible from public view.

Therefore, in terms of character and design, the proposal complies with policies DP26 of the Mid Sussex District Plan, EG3 of the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide SPD and the relevant paragraph of the NPPF.

Impact on neighbouring properties

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.

Given the extended nature of No.42 with no side windows facing No.44, therefore no impact on light and outlook will be caused to this dwelling. Adjoining No.46 will not be harmed by the proposal. In terms of privacy and overlooking, given the single storey nature of the proposal it is not deemed significantly harmful.

The proposed landscaping works to the rear garden are not deemed harmful to neighbouring amenities.

Therefore, in terms of neighbouring amenities the proposal complies with policy DP26 of the Mid Sussex District Plan and policy EG3 of the East Grinstead Neighbourhood Plan.

Flood Risk and Drainage

Policy DP41 of the District Plan concerns Flood Risk and Drainage. It states in part:

'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 Councils drainage team have no objections to the proposal.

It therefore complies with policy DP41 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

The proposal is considered to be of an appropriate design, size and scale that are in keeping with the existing dwelling and will not cause harm to the surrounding area. The level of harm of neighbouring amenities is not deemed significant and no increased level of flood risk is to be caused.

In conclusion, the proposal is considered to be appropriate in terms of design, size, and scale to the dwellinghouse and locality and would not cause significant harm to the amenities of neighbouring properties. Therefore, the proposal complies with Mid Sussex District Plan policies DP26 and DP41 and policy EG3 of the East Grinstead Neighbourhood Plan, the relevant paragraphs of the Mid Sussex Design Guide SPD as well as the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell