

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0173	Case Officer:	Catherine Cardin
Application Type:	Householder Application		
Proposal:	Proposed first floor dormer to side elevation and new garage to replace existing		
Site:	Naremburn, 42 Fairlawn Drive, East Grinstead, West Sussex, RH19 1NT, , ,		
Validation Date	26 Jan 2026	Overall Expiry Date:	1 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Apr 2026
Target Date:	23 Mar 2026	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	2 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0173

**Naremburn, 42 Fairlawn Drive, East Grinstead, West Sussex, RH19 1NT, ,
Proposed first floor dormer to side elevation and new garage to replace existing
Mr And Mrs Stavrakis**

SUMMARY OF REPRESENTATIONS

Two letters of representation were received which raised concerns regarding:

- Loss of light to no.40 Fairlawn Drive
- Overlooking to no.40 Fairlawn Drive
- Loss of light and outlook to no.44 Fairlawn Drive
- Increase in run off drain water
- Access to boundary fence between no.44 Fairlawn Drive
- Design not in keeping with surrounding area
- Unclear drawings regarding high level window

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

Planning permission is sought for a proposed first floor dormer to side elevation and new garage to replace existing.

RELEVANT PLANNING HISTORY

GR/157/78- Conversion of garage to dining room, formation of new porch, utility room and driveway. Permission.

SITE AND SURROUNDINGS

Naremburn is a detached two storey dwelling. The property is characterised by red brick, grey upvc windows and a plain tile roof. The property benefits from an attached garage and an area of off-street parking to the front of the property to accommodate approximately three cars.

The application site lies within the built-up area boundary of East Grinstead. Neighbouring properties are located to the north, south and east. Highway is located to the west.

APPLICATION DETAILS

The proposed dormer would measure some 3.9 metres in width and some 4.4 metres in depth. This would have a hipped roof with a height to the ridge of some 3.7 metres and a height to the eaves of some 2.1 metres. It is proposed to install a window on the side (southern) elevation and a window on the rear (eastern) elevation. This would be finished in external materials to match the existing. It is proposed to use this as a bedroom and ensuite.

It is also proposed to demolish the existing attached garage on the side (northern) elevation and construct a new garage in the same position. This would measure some 2.8 metres in width and some 6.9 metres in depth. This would have a pitched roof, with a height to the ridge of some 4.5 metres and a height to the eaves of some 2.4 metres. It is proposed to install a door and window on the rear (eastern) elevation and a garage door on the front (western) elevation. This would be finished in external materials to match the existing.

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.

Relevant policies:

No relevant policies

Neighbourhood Plan

East Grinstead Neighbourhood Plan was made in 2016.

Relevant policies:

Policy 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 hearings were concluded on the 19th March 2026. The District Plan remains at Examination until the Inspector has published his report, until that time 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:

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)

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
- Neighbouring Amenities
- Biodiversity Net Gain

Design and Character

Policy DP26 of the District Plan relates to character and design and requires all proposals to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside as well as addressing the character and scale of the surrounding buildings and landscape. In part the policy requires proposals to be of a high-quality design and layout and includes appropriate landscaping and greenspace; and creates a sense of place while addressing the character and scale of the surrounding buildings and landscape.

This ethos is also reflected under policy EG3 of the Neighbourhood Plan.

Principle DG49 states in part that *'extensions should typically use simple, uncomplicated building forms to complement and coordinate with the scale, form and massing of the original dwelling.'*

DG50 relates to side extensions and states in part 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 proposed extensions are considered to be of an appropriate scale and design to the existing property. It is considered that the proposed hipped roof of the side dormer responds positively to the character of the existing building. The proposal would not close an important gap or view and the proposed design is considered to address the side boundary and adjacent buildings to the south appropriately. It is considered that the proposed garage would be subservient to the existing dwelling and would be set-back from the front of the property. The pitched roof of the garage is considered to respond appropriately to the character of the existing property. In addition, the proposal includes wall and roof materials to match the existing so it is considered that the development would provide a consistent finish.

The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan, policy EG3 of the East Grinstead Neighbourhood Plan and the Mid Sussex Design Guide.

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals 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'.*

Policy EG3 states that proposals should "not harm" adjoining neighbours amenity whereas policy DP26 of the MSDP 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 adopted, approved or published. As such, policy DP26 of the MSDP 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.

To the southern side of the site is no.40 Fairlawn Drive, a detached bungalow. Given the 4.4 metres offset between the properties and the hipped roof design of the proposed roof, the development is not considered to result in significant harm to this neighbour's light or outlook. A rear (eastern) elevation window serving an ensuite is proposed; the submitted plans indicate that this would be obscure glazed, which can be secured by a suitably worded condition. The dormer also includes a secondary side-facing window positioned at 1.7m above floor level, shown on the submitted plans. As this would enable direct views towards the habitable rooms of no.40, it would give rise to unacceptable overlooking and loss of privacy. To protect neighbouring amenity, it is therefore necessary and reasonable to require the window to be obscure-glazed. This approach maintains light to the room while preventing harmful overlooking and accords with established planning practice and tests for conditions as set out in the NPPF.

To the northern side of the site is no.44 Fairlawn Drive, which is situated at a lower land level than no.42. The proposed garage would be single storey, with a pitched roof and a maximum ridge height of some 4.5 metres. Given its modest scale, the difference in land levels, and its orientation with relation to no.44, it is not considered that the proposal would cause significant harm to the light and outlook of this neighbour. The relationship would not give rise to an unacceptable sense of enclosure or overshadowing. Furthermore, as no windows are proposed on the side elevation, it is not considered that the proposal would give rise to significant overlooking concerns.

Due to the domestic nature of the proposed development, it is considered that there would not be a harmful impact in terms of noise, air and light pollution.

It is therefore considered that the proposal would not cause significant harm to the amenities of neighbouring properties. The proposal is therefore deemed to accord with the above-mentioned part of policy DP26 of the District Plan.

Other matters

The concern regarding increased surface rainwater run-off is noted. However, matters relating to drainage from roofs and management of surface water are controlled through Building Regulations, which require all roofs to drain onto land within the applicant's ownership. The applicant will therefore be required to ensure that all rainwater goods and drainage systems prevent discharge into neighbouring land. As such, this matter falls outside the scope of the planning assessment and will be dealt with through the appropriate regulatory regime.

Concerns have been raised that the enlarged garage would reduce the ability to access the boundary fence for maintenance. Access rights and maintenance arrangement are private matters and fall outside the scope of planning control.

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 acceptable in terms of design, size and scale to the dwellinghouse and locality, and would not cause harm to the amenities of neighbouring properties.

In conclusion, the proposal would accord with the requirements of policy DP26 of the Mid Sussex District Plan. It is therefore considered acceptable.

Decision: Permission

Case Officer: Catherine Cardin