

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1283	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Proposed single storey rear extension		
Site:	Holly Berry House, Harwoods Lane, East Grinstead, West Sussex, RH19 4NQ, , ,		
Validation Date	16 May 2025	Overall Expiry Date:	11 Jun 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	8 Jul 2025
Target Date:	11 Jul 2025	Recommending Officer Signature:	Tracie Axford

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	9 Jul 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1283

**Holly Berry House, Harwoods Lane, East Grinstead, West Sussex, RH19 4NQ, ,
Proposed single storey rear extension
Mr John Vermeer**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None

TOWN/PARISH COUNCIL OBSERVATIONS

East Grinstead Town Council made no comment on this application.

INTRODUCTION

The application seeks planning permission for a single storey rear extension.

RELEVANT PLANNING HISTORY

GR/268/99 - Full Planning Permission
Detached dwelling and garage. Withdrawn 03/11/1999

GR/310/99 - Full Planning Permission
Detached three bedroom dwelling and garage (including replacement garage for Kenmore). Refused
03/12/1999

00/01071/FUL - Full Planning Permission
Detached dwelling and garage. Permitted 28/07/2000

DM/19/4043 - Householder Planning Permission
Proposed construction of new double storey side extension with minor internal alterations. (Revised ground floor plan received 06.11.2019 showing the side window obscure glazed and non-opening below 1.7 metres.). Permitted 20/11/2019

DM/23/0797 - Householder Planning Permission
Installation of x 9 solar panels with associated bracketry to the south facing slopes of the pitched roof and a small battery pack mounted on the wall of the north facing gable end wall. Permitted 27/03/2023.

SITE AND SURROUNDINGS

The application property is a two-storey detached house located on Harwoods Road, within an established residential area of mixed dwellings off Hermitage Lane in the built up area of East Grinstead. The property has a front garden with off road parking accessed from Harwoods Road. The rear garden and a garage and vehicular access are accessed from Garden Close at the back of the house.

APPLICATION DETAILS

The proposed extension measures 3.1m in width, 3.3m in depth and is proposed to have a height of 3m. The materials of the walls and fenestration will match the existing materials of the dwelling. A flat EPDM roof incorporating a rooflight is proposed.

The permitted development rights for the house were removed by Condition 10 on the approval for the house (planning reference 00/01071/FUL refers).

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.

East Grinstead Neighbourhood Plan

The East Grinstead Neighbourhood plan was made in November 2016.

Relevant Policy:

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 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.

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.

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 properties
- Biodiversity Net Gain

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."*

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

- i/ '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.'*

In terms of rear extensions, principle DG51 states: i/ '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 rear elevation is set in a discrete position with regard to the public domain. Partial views of the rear of the property are only available from the west of the dwelling where there is access to the associated driveway and garage.

In terms of proposed external materials, the proposed extension would be constructed from materials to match the existing dwelling. The roof will be composed of EPDM, a durable rubber membrane.

It is proposed that the extension will measure 3.1m wide and extend 3.3m from the rear elevation.

Given the design, form and scale of the proposal in relation to the surrounding properties, and that it would be constructed in materials similar to those of the existing dwelling and the surrounding properties, the proposal is considered to comply policy DP26 of the District Plan, policy 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 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 Policy DP29);'

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 to be 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.

It is not considered that the proposed development would give rise to a significant overlooking impact. Adjacent to Holly Berry House, to the northern boundary is Kenmore, which has limited overlooking to Holly Berry House. The proposed extension will be visible from the window of the side extension of Kenmore, however the extension will not result in any impact on privacy or light. To the southern boundary is No. 1 The Croft, which does not overlook the rear of the application property.

With regard to the issue of whether the scheme is overbearing, the proposal would increase the overall size of the ground floor of the dwelling by approximately 10 metres square. As such, it is not considered that the proposal would result in a significant overbearing impact.

Given the domestic nature of the proposed development, it is not considered that there will be any significant harm or impact in terms of noise, air or light pollution.

Therefore, in terms of neighbouring amenities, the proposal is deemed to comply with DP26 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 appropriate in terms of design and will not negatively impact on the host dwelling nor its immediate setting and will not harm neighbouring amenities. Therefore, the proposal complies with DP26 of the Mid Sussex District Plan, Policy EG3 of the East Grinstead Neighbourhood Plan principles DG49-51 of the Mid Sussex Design Guide and the relevant paragraphs of the NPPF and is considered acceptable.

Decision: Permission

Case Officer: Tracie Axford