

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1474	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Proposed new windows to existing dwelling.		
Site:	30 Brook Close, East Grinstead, West Sussex, RH19 3XZ, , , ,		
Validation Date	6 Jun 2025	Overall Expiry Date:	2 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	1 Aug 2025
Target Date:	1 Aug 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	4 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1474

**30 Brook Close, East Grinstead, West Sussex, RH19 3XZ, , ,
Proposed new windows to existing dwelling.
Mr And Mrs Cook**

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTEES

None

EAST GRINSTEAD TOWN COUNCIL OBSERVATIONS

East Grinstead Town Council made no comment

INTRODUCTION

The application seeks planning permission for proposed new windows to the existing dwelling.

RELEVANT PLANNING HISTORY

GR/132/76/AP1 - AMENDED PLANS: 122 dwellings, 33 x 2 bedroom terrace; 81 x 3 bedroom terrace, 8 x 4 bedroom terrace (Reserved Matters for J/73/10309 and GR/089/75). AMENDED PLANS SHOWING: Change of layout. No Objection 1977-07-01

GR/132/76 - 122 dwellings, 33 x 2 bedroom terrace; 81 x 3 bedroom terrace, 8 x 4 bedroom terrace (Reserved Matters for J/73/10309 and GR/089/75). Permission 1976-07-06

GR/125/77 - Alterations to elevations to house types already previously approved. Permission 1977-08-30

SITE AND SURROUNDINGS

The application is seeking planning permission for a total of 3 no. new windows at 30 Brook Close, East Grinstead. The application site is designated within the Mid Sussex Local Plan as being within the built up area boundaries of East Grinstead.

The application property is an end-of-terrace three bedroomed property at the northern end of Brook Close which is the end of the cul-de-sac. To the northern elevation of the property are two garage blocks. Nos 30-33 Brook Close, form one block of four houses with a staggered building line, with Nos 30 and 31 set back from 32 and 33. The wider streetscene consists of very similar style properties, with varying window configurations to the front elevations

APPLICATION DETAILS

The application is for a total of three new windows to the front and side elevations. On the first floor of the property a new window is proposed to the front elevation, and to the ground floor, a bay window is proposed to replace the existing window. A new window is proposed to the side elevation. This will add light to the interior of the property and will match other properties in the vicinity.

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:

- '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.'*

The application is seeking permission for an additional window to the first floor and a bay window to replace the window on the ground floor, resulting in a front elevation which matches other dwellings in the streetscene, including the neighbouring property at no. 31. The proposed window on the side elevation of the property will face the garage area on the street and will not appear incongruous. The materials proposed will match those of the existing dwelling.

Given the design, form and scale of the proposal in relation to the surrounding properties, the proposal is considered to comply with 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 considered that the additional proposed development would not give rise to any overlooking impact to neighbouring properties, nor would there 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 policy DP26 of the Mid Sussex District Plan, policy EG3 and the relevant paragraphs of the NPPF and is considered acceptable.

Decision: Permission

Case Officer: Tracie Axford