
Appeal Decision

Site visit made on 25 February 2025

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th March 2025

Appeal Ref: APP/D3830/W/24/3354512

3 Morton Road, East Grinstead, West Sussex RH19 4AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Alex Drillsma against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/0886.
 - The development proposed is described as ‘The works include the demolition of an existing garage and replacement with a two storey proposal with a garage on the ground floor and a home office/additional amenity space on the first floor accessed via a new spiral staircase.’
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing garage and replacement with a two storey proposal with a garage on the ground floor and a home office/additional amenity space on the first floor accessed via a new spiral staircase at 3 Morton Road, East Grinstead, West Sussex RH19 4AF in accordance with the terms of the application, Ref DM/24/0886, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. In the banner heading above, I have used the site address as given on the application form. The appeal site is in two parts: the host dwelling at 3 Morton Road, and a single garage on the opposite side of the street. The proposed building would be on the site of the garage. The description of the proposed development in the banner heading is taken from the application form, but in the decision I have omitted the words ‘the works include’ since these are not a description of the proposed development.
3. Two sets of proposed elevations were provided with the appeal, but both sets carry drawing numbers A101 and A102 and the same date. The appellant explains that the proposed external materials were amended prior to the Council’s decision, to include zinc cladding on the upper floor and that is consistent with the materials described on the application form. Therefore, for the avoidance of doubt, I have considered the appeal on the basis of the versions of the elevation drawings which specify vertical zinc/metal sheet cladding.
4. Although an emerging Local Plan is under preparation, with an Examination in Public underway, neither party relies on any emerging policies and the Council describes the emerging Local Plan as carrying minimal weight for purposes of this appeal. Taking account of that context, I have considered the appeal on the basis of the adopted development plan.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The appeal concerns redevelopment of a small plot of land currently containing a single garage. The garage sits forward of the adjacent dwellings on one side, so one flank wall is exposed to view. On the other side, it is alongside a Cadet Hall, which is a substantial building of utilitarian appearance with a steeply pitched roof over the larger section adjacent to the appeal site and a lower parallel pitched roof to the other side. The Cadet Hall is clad in corrugated metal sheeting painted mid blue and is a prominent feature at this end of the street.
7. Otherwise, the surrounding area comprises mainly two storey dwellings, finished in a variety of materials, including facing brick in various colours, as well as some examples of render, painted brick, pebble dash and tile hanging. In general, roofs are steeply pitched, but there are exceptions, notably including the lower part of the Cadet Hall. There are also a variety of roof forms on the dwellings closest to the appeal site, including a modest, fully hipped bungalow roof opposite, a chalet bungalow with several dormer windows next to that, and the relatively shallow pitch on the terraced houses next to the appeal site.
8. The proposed building would occupy the same footprint as the existing garage and its front and one side elevation would be similarly visible. It would be significantly taller, with the eaves being in line with that of the adjacent dwellings. Nevertheless, taking account of its narrow width and low roof, the overall proportions of the building would be relatively modest.
9. The external materials would reflect elements of the surrounding buildings, comprising brick on the lower floor with metal cladding above. The latter would be of a different form to the cladding on the Cadet Hall, although it would be similarly finished in vertical panels. The roof pitch would be appropriate to the materials deployed and would also be in proportion to the narrow span of the building. The ridge line would be below that of the buildings to either side, providing a sense of subordination. The building would also be of a clearly different character and more subservient scale to the host dwelling, although the functional relationship between the two buildings would not be readily apparent since they would be on opposite sides of the street.
10. The building would be conspicuous, and it would also be a somewhat unusual feature within the street scene, being neither fully residential nor fully utilitarian in character. However, the design would reflect its intended use as a garage and home office and the contemporary materials proposed for the upper floor and roof would not be inherently unsightly. The exposed spiral stair and balcony would be a functionally suitable means of access to the upper floor and would contribute a more interesting, active frontage than the existing garage building, notwithstanding the lack of other similar features in the street scene.
11. In the Mid Sussex District Plan adopted 2018, Policy DP26 requires that new development is well designed and reflects the distinctive character of the towns and villages. The character and scale of surrounding buildings is to be taken into account and active building frontages are encouraged. The criteria in Policy EG3

of the East Grinstead Neighbourhood Plan cover similar requirements. While Principle DG38 of the Mid Sussex Design Guide 2020 says that the materials and detailing of existing buildings in the locality should be a starting point in the design process, it also acknowledges re-interpretation of key aspects of their form as being a valid design approach.

12. A two-storey building is not inherently inappropriate, since most of the existing dwellings are on two storeys. While the proposed building would not be traditional in appearance, the design would reflect its intended purpose and it would draw on, while re-interpreting, elements of the surrounding residential and institutional buildings. Consequently, while it would be a distinctive addition to the street, it would neither jar nor be unduly dominant.
13. That being the case, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. It would not conflict with relevant requirements in Policy DP26 of the Local Plan or Policy EG3 of the Neighbourhood Plan, or with Principle DG38, as summarised above. Nor would it conflict with the approach to achieving well-designed places in the National Planning Policy Framework (the Framework), which include that new development should be sympathetic to local character while not preventing or discouraging appropriate innovation or change.

Other Matters

14. The south-facing windows at the rear of the building could be intrusive as they would directly overlook the adjacent garden. However, that would be addressed through the conditions imposed. Since the conditions would preclude opening windows at the rear, that would also help maintain security across the boundary. Since obscure glazing would be required, any later introduction of trees in the adjoining garden would not be visually intrusive and daylight would be available by means of the roof windows.

Conditions

15. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for precision and clarity and I have also imposed one additional condition. Where the conditions differ in any material respect from those suggested by the Council, the parties have had the opportunity to comment.
16. Condition 2, specifying the approved plans, is necessary in the interests of clarity and, for the avoidance of ambiguity, I have listed the relevant drawings, including the amended drawings A101 and A102, as described above. That would also ensure that the external materials required by condition 3 are precisely defined, since they are specified on those drawings.
17. A condition is necessary to ensure that the building is used only for its intended purpose, incidental to the enjoyment of the host dwelling, since when considering the suitability of the design, I have had specific regard to that use. Given that use of the building as a separate unit of accommodation would be in breach of that requirement, the additional wording preventing such use, as recommended by the Council, is not strictly necessary, but it adds useful clarity.

18. I have imposed an additional condition requiring that both south-facing windows are obscure glazed and fixed shut, to maintain privacy with the adjacent garden. While the current occupier may be willing to tolerate clear glazing in the upper floor window, such a direct outlook could become intrusive. Obscure glazing is a reasonable requirement given that the first floor would also have an outlook to the front and the appellant has raised no objection.

Conclusion

19. The proposed development would accord with the development plan and no material considerations indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal should be allowed.

Jane Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings:
 - Site Location Plan
 - A100 Ground Floor & First Floor Arrangement
 - A101 Proposed Side Elevations (as amended to specify vertical zinc/metal sheet cladding to upper floor)
 - A102 Proposed Front and Rear Elevation (as amended to specify vertical zinc/metal sheet cladding to upper floor)
 - A104 Existing Plans
 - A105 Block Plan – Proposed Area
- 3) No external materials shall be used other than those specified on the approved plans and application form.
- 4) The building hereby permitted shall be occupied solely for purposes incidental to the enjoyment of the dwellinghouse at 3 Morton Road East Grinstead West Sussex RH19 4AG as such and shall not be used as a separate unit of accommodation.
- 5) Prior to the first use or occupation of the building hereby permitted, the ground and first floor windows in the south facing elevation shall be fitted with obscured glazing, which shall thereafter be retained, and no part of either window shall be capable of being opened.

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