

RE: 22 Holtje Road, East Grinstead SR/26/0565 Change of use of already co...

 Summarise



Andrew Berry

To  Jessica Szollosi

Retention Policy Default 3 year delete (3 years)



 Reply

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 Forward



Thu 19/02/2026 12:00

Expires on 18/02/2029

Hi Jess,

Thank you for your enquiry. In our opinion the physical standards of the garage conversion are controlled through compliance with the Building Regulations rather than the Housing Act 2004, unless it moves away from short term holiday lets to permanent accommodation.

This is based on the following definition of qualifying properties under the Housing Act 2004:

“2B Qualifying residential premises

(1)The following are “qualifying residential premises” for the purposes of this Part—

(a)a dwelling or HMO in England—

(i)which is let under a relevant tenancy, or

(ii)which is supported exempt accommodation,

except where the dwelling or HMO is social housing and the landlord under the tenancy, or the provider of the accommodation, is a registered provider of social housing,

(b)an HMO in England where at least one unit of accommodation which forms part of the HMO is let on a relevant tenancy, except where the unit is social housing and the landlord under the tenancy is a registered provider of social housing,

(c)a building or part of a building constructed or adapted for use as a house in multiple occupation if—

(i)it is for the time being only occupied by persons who form a single household, and

(ii)the accommodation which those persons occupy is let under a relevant tenancy or is supported exempt accommodation, except where the accommodation which those persons occupy is social housing and the landlord under the tenancy, or the provider of the supported exempt accommodation, is a registered provider of social housing,

(d)any accommodation falling within paragraph (e) of the definition of “residential premises” in section 1(4) (homelessness), except where the accommodation is social housing and the provider of the accommodation is a registered provider of social housing, and

(e)any common parts of a building in England containing one or more flats falling within paragraph (a), (b), (c) or (d) of this subsection.

(2)In this Part—

- “relevant tenancy” means—

(a)an assured tenancy within the meaning of the [Housing Act 1988](#),

(b)an assured agricultural occupancy within the meaning of [Part 1](#) of [that Act](#), or

(c)a regulated tenancy within the meaning of the [Rent Act 1977](#);

- “social housing” has the same meaning as in [Part 2](#) of the [Housing and Regeneration Act 2008](#);
- “supported exempt accommodation” has the same meaning as in the [Supported Housing \(Regulatory Oversight\) Act 2023](#) (see section 12 of that Act).

(3)The Secretary of State may by regulations amend this section so as to change the meaning of “relevant tenancy” so as to add or remove a particular kind of—

(a)tenancy that is periodic or granted for a term of less than 21 years, or

(b)licence to occupy.

(4)Before making regulations under subsection (3), the Secretary of State must consult such persons as the Secretary of State considers appropriate.]”

[Housing Act 2004](#) – Link to the above from the legislation.

Kind regards, Andrew Berry, Senior Environmental Health Officer, Environmental Health, Mid Sussex District Council, Tel: 01444 477249 Email: andrew.berry@midsussex.gov.uk



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