

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1904	Case Officer:	Andrew Horrell
Application Type:	Change of Use Application		
Proposal:	Change of use of Hitchins Cottage Annexes to two self-contained one-bedroom short stay holiday lets		
Site:	Hitchins Cottage Annexes, Moatlands, Vowels Lane, West Hoathly, East Grinstead, West Sussex, RH19 4LL,		
Validation Date	3 Aug 2026	Overall Expiry Date:	8 Sep 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Oct 2026
Target Date:	28 Sep 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	7 Oct 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1904

Hitchins Cottage Annexes, Moatlands, Vowels Lane, West Hoathly, East Grinstead, West Sussex, RH19 4LL

Change of use of Hitchins Cottage Annexes to two self-contained one-bedroom short stay holiday lets

Dr Allen Zimble

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

None received

WEST HOATHLY PARISH COUNCIL OBSERVATIONS

The Parish Council has no objections

INTRODUCTION

The application seeks planning permission for the change of use of the annexes into two self-contained one-bedroom short stay holiday lets.

RELEVANT PLANNING HISTORY

DM/17/3893 - Proposed conversion of existing studio and garage into a three bedroom residence for estate worker. (approved)

DM/21/4282 - Extension to Garage and Tractor Garage for gardens. (approved)

DM/22/0536 - Conversion from existing garages and studio into a dwellinghouse, together with the construction of a detached pair of garages associated with the dwelling (Retrospective) (approved)

SITE AND SURROUNDINGS

The application site comprises of a pitched roofed large, detached building with timber cladding and timber doors and windows. Approved as garaging under DM/22/0536.

The main house, workers cottages, the large garage and greenhouse are located to the south-west of the application site and all are accessed via a long driveway off Vowels Lane.

Moatlands consist of 67 Hectares and was once part of the Gravetye estate, with the access to Gravetye being located to the north east of the converted garage and studio. A footpath runs along the north and east of the building.

The site lies outside of the built up area. The site lies within the Ashdown Forest SPA/SAC 7km sphere of influence and the High Weald National Landscape.

APPLICATION DETAILS

The proposal is to convert the existing incidental outbuilding into two one-bedroom holiday lets.

The unit was shown as garaging with storage above under DM/22/0536.

The ground floors are to be altered to an open plan kitchen/living room and the first floor altered to a bedroom and shower room. Both holiday lets match. No external alterations are proposed.

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.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

'In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application, and*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.

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.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Development Plan Document (DPD) and the West Hoathly Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework (NPPF) 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:

- DP1: Sustainable Economic Development
- DP4: Housing
- DP12: Countryside
- DP15: New Homes in the Countryside
- DP16: High Weald AONB
- DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation
- DP19: Sustainable Tourism
- DP21: Transport
- DP26: Character and Design
- DP27: Dwelling Space Standards
- DP38: Biodiversity

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

No relevant policies:

West Hoathly Neighbourhood Plan.

The West Hoathly Neighbourhood Plan was made in

No relevant policies.

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 is currently at Examination with initial hearings held in February/March 2026. The Council has consulted on Main Modifications which are required to ensure the plan is legally compliant and sound with further Hearings taking place in November 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:

DPN1 - Biodiversity, Geodiversity and Nature Recovery
DPC1: Protection and Enhancement of the Countryside
DPC4: High Weald Area of Outstanding Natural Beauty
DPC6: Ashdown Forest SPA and SAC
DPB1: Character and Design
DPE9: Sustainable Tourism and the Visitor Economy
DPT4: Parking and Electric Vehicle Charging Infrastructure
DPH1: Housing
DPH2: Sustainable Development - Outside of the Built up Area
DPH11: Dwelling Space Standards

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.

THE HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2024-2029

National Planning Policy Framework (NPPF) (August 2026)

ASSESSMENT

Principle

Policy DP12 of the District Plan relates to protection and enhancement of the countryside. Policy DP15 relates to new dwellings in the Countryside and policy DP19 of the Mid Sussex District Plan relates to sustainable tourism and the support for the growth of the rural economy.

However, policies DP12, DP15 and DP19 are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policies S5 and E4 of the NPPF.

Policy S5 of the NPPF in part states: *'Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:*

c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces'

Policy E4 of the NPPF in part states:

'the sustainable growth of businesses in rural areas should be supported, including through:

- a. The conversion of existing buildings and well-designed new buildings;*
- c. Facilities to support rural leisure and tourism'*

The proposal would result in the creation of new dwellings within the countryside, albeit that they would be controlled to only be used as holiday accommodation rather than used as a permanent residence. Policy DP15 allows for the reuse of rural buildings for residential use, subject to an enhancement of the immediate setting and the quality of the rural landscape being maintained. For the reasons outlined later in this report, the quality of the rural landscape will be maintained.

The proposed holiday lets do not impact or change the character of appearance of the building or surrounding area and makes use of an existing building. With its proposed use, it will boost rural tourism.

It is therefore compliant with the requirements of policy S5 of the NPPF in respect of the re-use of rural buildings and is also compliant with the aims of policy DP12 in protecting the countryside for its intrinsic value.

Due to the above, the proposal complies with policies DP12, DP15 and DP19 of the Mid Sussex District Plan and S5 and E4 of the NPPF.

Highways and Parking

Policy DP21 of the District Plan seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals. Policy DP21 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies TR3, TR4 and TR6 of the NPPF.

Policy TR3 of the NPPF in part states:

'Opportunities should be taken to utilise existing or proposed transport infrastructure'

Policy TR4 of the NPPF in part states:

'Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations'.

Policy TR6 of the NPPF states:

'Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement'.

The proposal does not seek to alter the existing vehicular entrance to the site and due to the nature of the application it is considered that a similar level of vehicular movements will occur at the site. As such it is not considered to adversely impact the wider road network. Therefore, the proposal is deemed to comply with policy DP21 of the Mid Sussex District Plan and policies TR3, TR4 and TR6 of the NPPF.

Impact on High Weald National Landscape

The site is within the High Weald National Landscape.

The legal framework for AONBs (now known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act 2000 (CRoW Act) which at Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW Act requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended Section 85 of the CRoW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs'*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

However, policy DP16 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policy N4 of the NPPF.

Policy N4 of the NPPF states:

'Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads'.

Given the proposal retains the existing external appearance of the building, the proposal is deemed to conserve the natural beauty of the High Weald National Landscape. The proposal therefore complies with policy DP16 of the Mid Sussex District Plan and policy N4 of the NPPF.

Neighbouring Amenities

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to District Plan Policy DP26.

However, policy DP26 is considered to have very limited weight as it is materially inconsistent with the NPPF, and greater weight should be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF in part states that proposals for redevelopment or additional development within existing plots should:

'Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'

Policy P3 of the NPPF states in part that development proposals should:

'Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting)'

Given the relationship with surrounding buildings and dwellings, unacceptable harm in terms of light is therefore not deemed to be caused by the proposal in relation to neighbouring amenities.

In terms of overlooking and privacy, the dwelling approved under DM/22/0536 was characterised by no windows on the northern side elevation. Therefore, the overlooking and loss of privacy from the proposal is not deemed unacceptably harmful.

Therefore, unacceptable harm will not be caused. Therefore, in terms of neighbouring amenities, the proposal complies with policy DP26 of the Mid Sussex District Plan and the relevant policies of the NPPF.

Dwelling Space Standards

The Government's Technical Housing Standards - Nationally Described Space Standards document was published in March 2015. It sets out space standards for all new residential dwellings, including minimum floor areas and room widths for bedrooms and minimum floor areas for storage, to secure a satisfactory standard of accommodation for future residents. Policy DP27 of the District Plan supports this.

The conversion is to form a 1-bed 2 person dwelling, the National Dwelling Space Standards requires a minimum of 58 square metres with 1.5 square metres of built in storage. The dwelling exceeds the National Dwelling Space Standards. The proposal would therefore provide a satisfactory standard of accommodation for future occupiers of the unit proposed.

Ashdown Forest

Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority - in this case, Mid Sussex District Council, has a duty to ensure that any plans or projects that they regulate (including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.

A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

Recreational disturbance

Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.

In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.

This planning application is within the 7km zone of influence and generates a net increase of two dwellings for short-term holiday lets, and as such, mitigation is required.

An appropriate scale of SAMM mitigation for the proposed development is £2,340, and no strategic SANG contribution is required.

The applicants have agreed that they would be prepared to make a financial contribution towards the SAMM Strategy mitigation. Any contributions received will be ring-fenced for expenditure in accordance with the relevant SAMM Strategies.

The financial contributions for SAMM mitigation has been secured through a Planning Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 ("Planning Obligation").

The Planning Obligation securing the SAMM contribution has been completed so it is considered that the mitigation of the recreational impact to the Ashdown Forest can be secured. The proposal therefore accords with Policy DP17 of the Mid Sussex District Plan.

Natural England has been consulted on the appropriate assessment of this proposed development and are happy that MSDC have measures in place to manage these potential impacts in the form of a strategic solution. Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the Zone Of Influence from the recreational impacts associated with this residential development.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.

The proposed development was modelled in the Mid Sussex Transport Study as a windfall development such that its potential effects are incorporated into the overall results of the transport model, which indicates there would not be an overall impact on Ashdown Forest. Additionally, based on analysis of Census 2011 data, the proposed development is not likely to generate travel to work journeys across Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.

Conclusion of the Habitats Regulations Assessment

The Habitats Regulations Assessment concludes that the proposed development would not have an adverse effect on the integrity of the Ashdown Forest SPA and would not have a likely significant effect, alone or in combination, on the Ashdown Forest SAC.

The provision of mitigation in the form of SAMM is essential to proposals within the planning application to ensure the Ashdown Forest SPA is protected from any potential recreational disturbance impact arising from this proposed new development. The development proposed provides sufficient mitigation to avoid any potential impact on the Ashdown Forest SPA.

No mitigation is required in relation to the Ashdown Forest SAC.

Having undertaken a Habitats Regulations Assessment of the implications of the project for the site in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received, Mid Sussex District Council as the competent authority may now determine the proposed development.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. Under the statutory framework for biodiversity net gain this application comprises development below the de-minimis threshold meaning that this development is exempt from providing biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the Development Plan and then to take account of other material planning considerations including the NPPF. The Development Plan in this instance consists of the Mid Sussex District Plan, the Site Allocations Development Plan Document and the West Hoathly Neighbourhood Plan.

For the reason set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan policies DP1, DP4, DP12, DP15, DP16, DP17, DP19, DP21, DP26, DP27 of the District Plan, policies S5, E4, RT3, TR4, TR6, N4, L2, P3 of the NPPF.

The proposed change of use complies with S5 of the NPPF as the reuse of an existing building and E4 of supporting rural tourism as well as policies DP12, DP15 and DP19 of the Mid Sussex District Plan.

There is sufficient parking, will proposal conserve the natural beauty of the High Weald Natural Landscape, will not cause unacceptable harm to neighbouring amenities and complies with national dwelling space standard and would have a neutral impact on the Ashdown Forest.

Therefore, it is considered that the development is in accordance with the policies of the development plan and planning permission should be granted.

Decision: Permission

Case Officer: Andrew Horrell