

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1520	Case Officer:	Caroline Grist
Application Type:	Full Application		
Proposal:	Conversion of existing garage and machinery store into residential annexe ancillary to main dwelling, with a new clay tile roof and roof light windows.		
Site:	Grove Farm, Cansiron Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SG, ,		
Validation Date	30 Jun 2026	Overall Expiry Date:	7 Aug 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	7 Oct 2026
Target Date:	25 Aug 2026	Recommending Officer Signature:	<i>Caroline Grist</i>

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

MID SUSSEX DISTRICT COUNCIL

DM/26/1520

**Grove Farm, Cansiron Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3SG,
Conversion of existing garage and machinery store into residential annexe ancillary to main
dwelling, with a new clay tile roof and roof light windows.
Mr Edward Jupp**

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

SUMMARY OF CONSULTEES

Wealden District Council

Objection - The proposed development would appear to have implications for the strategic planning aims of Wealden District Council, and therefore an objection is raised to this application.

Ecologist

Further information required in relation to Biodiversity Net Gain.

Tree Officer

No objection subject to conditions.

Conservation Officer

Objection - although from a perspective of impact on the character of the setting of the listed buildings the conversion of this building for ancillary residential use is unlikely to prove contentious in principle, the external alterations as shown have a domesticating impact on the appearance of the building which results in harm to the existing rural nature of that setting. This is due in particular to the number, size and design of the new window and door openings to the building.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

Planning permission is sought to convert an existing garage and machinery store into residential annexe ancillary to main dwelling, with a new clay tile roof and roof light windows.

RELEVANT PLANNING HISTORY

GR/149/97 - Conversion of existing barn into domestic garage accommodation with upper floor flat. Permitted.

GR/199/97 - Listed building consent: existing derelict barn to be converted to provide garaging and storage at ground floor level and ancillary residential purposes at first floor level. Permitted.

GR/030/98 - Relocation of vehicular access into the converted barn including minor amendments to the external elevations. Permitted.

GR/031/98 - Relocation of vehicular access into the converted barn including minor amendments to the external elevations. Permitted.

DM/22/1393 - Proposed new access drive to new garage and farm machinery store. Permission.

Wealden District Council

WD/2026/1323/FR - Conversion of existing garage and machinery store into residential annexe to Grove Farm with associated internal and external alterations. Retrospective consent for replacement roof and external facing material. Permission.

WD/2026/1225/LBR - Conversion of existing garage and machinery store into residential annexe to Grove Farm with associated internal and external alterations. Retrospective consent for replacement roof and external facing material. Permission.

SITE AND SURROUNDINGS

Grove Farm is a Grade II listed farmhouse that is set back from Cansiron Lane. There are a number of buildings surrounding the farmhouse, including the curtilage listed Grove Farm Barn that has been converted into a dwelling. Further north of these buildings lies the outbuilding to which this application relates.

A steep driveway to the west leads down to a hardstanding drive area adjacent to the converted barn. The land levels continue to drop to the east towards grazing fields. The listed dwelling is located to the south of the barn and set within landscaped gardens. The site is located outside of a defined settlement boundary and is within the High Weald Area of Outstanding Natural Beauty.

It should be noted that whilst the majority of the property lies within Mid Sussex, the outbuilding that is the subject of this application is situated on land within Wealden District Council.

APPLICATION DETAILS

The application seeks part-retrospective planning permission for the conversion of an existing garage/outbuilding and machinery store into a residential annexe, ancillary to Grove Farm. The proposal includes the insertion of one rooflight and associated external alterations, including glazing and doors.

The retrospective element relates to the replacement of the former asbestos sheet roof with clay roof tiles, resulting in an increase in the overall height of the building of approximately 2.2m, together with the replacement of the external facing material with timber weatherboarding. These works are to take place on land in Wealden District Council.

With regards to works in the Mid Sussex District Council area, the Heritage Setting Assessment summarises this as follows:

'As an annex it is no longer necessary to enact the existing consent to build a separate drive or turning space. The existing provision, with two spaces at the top of the drive, is adequate and reduces the environmental impact of the work considerably'.

It is therefore understood from the plans and information provided that no works are proposed on Mid Sussex District Council Land.

Permission has been sought on this proposal from Wealden District Council, for planning and listed building consent, which have been granted.

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 Ashurst Wood Neighbourhood Plan.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP12 - Protection and Enhancement of Countryside
DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design
DP34 - Listed Buildings and Other Heritage Assets

Ashurst Wood Neighbourhood Plan

The Ashurst Wood Neighbourhood Plan was made on 30th June 2016.

Relevant policies:

ASW1 - Protection of the Countryside
ASW14 - Design and Character

Mid Sussex Site Allocations Document (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.

Other Legislation

Countryside and Rights of Way Act (CRoW) 2000

Planning (Listed Buildings and Conservation Areas) Act 1990

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:

DPS2 - Sustainable Design and Construction
DPS6 - Health and Wellbeing
DPC1 - Protection and Enhancement of the Countryside
DPC4 - High Weald Area of Outstanding Natural Beauty
DPB1 - Character and Design
DPB2 - Listed Buildings and Other Heritage Assets

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.

High Weald AONB Management Plan 2024 - 2029

National Planning Policy Framework (NPPF) (August 2026)

ASSESSMENT

Impact on the High Weald Area of Outstanding Natural Beauty

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the primary purpose of AONBs: 'to conserve and enhance natural beauty. Section 84 of the CRoW 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.

Policy DP16 of the District Plan and policy ASW1 of the Ashurst Wood Neighbourhood Plan require proposals in the National Landscapes to conserve or enhance natural beauty. However these policies carry very limited weight as they are materially inconsistent with 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.'

The application relates to an existing building and access, which is sited within a group of buildings outside of the built up area of Ashurst Wood and, as such, would not form an isolated development within the wider landscape. The proposal would not have any adverse impact on the landscape quality of the AONB due to it being viewed in context with existing built forms within the village. As such the proposal would comply with the requirements of policy DP16 of the District Plan, policy ASW1 of the Ashurst Wood Neighbourhood Plan, The High Weald Management Plan and policy N4 of the NPPF.

Design and impact upon heritage assets

The LPA is under a duty by virtue of s.66(1) of the Planning (Listed Building and Conservation Area) (LBCA) Act 1990: *'In considering whether to grant planning permission [F1 or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

Policies DP34 of the District Plan relates to the impact of development on listed buildings. It is however considered that these policy attributes limited weight following the publication of the new NPPF.

National decision-making policies HE5 and HE6 of the NPPF relate to "Assessing effects on heritage assets" and "Proposals affecting designated heritage assets".

Policy DP26 of the District Plan as well as policies ASW1 and AS14 of the Neighbourhood Plan relate to character and design. These policies, however, are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should be given to policy DP3 of the NPPF.

Policy DP3 in part states:

'To create well-designed places, development proposals should also reflect relevant aspects of the following principles, as appropriate to the nature of the development and its location.

e. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting'.

Grove Farm is a Grade II listed 16th century or earlier farmhouse located in a semi-rural position on the outskirts of Ashurst Wood. A barn survives to the north of the house which would be regarded as curtilage listed, and is now a separate dwelling. The farm is recorded in the West Sussex Historic Farmsteads and Landscape Character assessment as a historic farmstead dating from the medieval period.

Comments have been received from the Conservation Officer, raising objection to the proposed development. These objections relate to the external alterations having a domesticating impact on the appearance of the building, which is considered to result in harm to the existing rural nature of that setting. The works that the Conservation Officer refers to relate to development that is within Wealden and, therefore, lies outside of Mid Sussex District Council's remit. Wealden District Council have also granted permission for these works, albeit revisions have been made to the elevations and level of glazing. No objection has been raised by the Conservation Officer to works that would directly impact land within the Mid Sussex District Council Area and, as such, it is considered that the development would not result in harm to nearby listed buildings.

As set out above, given that no works are proposed to the existing access and associated area within Mid Sussex, it is considered that the proposal would not have a harmful impact in design terms and would not result in harm to the countryside.

It is noted that no objection has been raised by the Tree Officer and the permission granted by Wealden includes a condition to protect the trees on site.

It is therefore considered that the development would accord with policies DP12, DP26 and DP34 of the Mid Sussex District Plan, policies ASW1 and AS14 of the Ashurst Wood Neighbourhood Plan, the Mid Sussex Design Guide and the relevant policies of the NPPF.

Impact on neighbouring amenity

In assessing the potential impact of the proposed development works upon the neighbouring amenities consideration needs to be given to policies DP26 of the District Plan and ASW14 of the Neighbourhood Plan. However these policies are considered to have very limited weight as they are materially inconsistent with the NPPF, and greater weight should therefore be given to policies L2 and P3 of the NPPF.

Policy L2 of the NPPF relates to making effective use of land. Part L2(1dii) requires proposals to have *'acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space'*.

Policy P3 of the NPPF relates to living conditions and pollution. Part 2(b) of this policy requires proposals *'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'*.

There would not be an unacceptable impact in terms of a loss of light, outlook or privacy to neighbouring dwellings. The residential nature of the development would ensure that there would not be harm as a result of noise, air or light pollution.

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.

In conclusion, the proposal is considered acceptable in terms design, impact to heritage assets, it will not harm neighbouring amenities and result in an acceptable impact on the High Weald National Landscapes. The application would therefore comply with policies DP12, DP16, DP26 and DP34 of the Mid Sussex District Plan, Policies ASW1 and ASW14 of the Ashurst Wood Neighbourhood Plan, the MSDC Design Guide and policies L2, P3, N4, HE5, HE6 and DP3 of the National Planning Policy Framework and is considered acceptable.

Decision: Permission

Case Officer: Caroline Grist