

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2965	Case Officer:	Jessica Szollosi
Application Type:	Change of Use Application		
Proposal:	Change of use of already converted garage, for short term holiday lets.		
Site:	222 Holtye Road, East Grinstead, West Sussex, RH19 3EY, , , ,		
Validation Date	22 Dec 2025	Overall Expiry Date:	26 Jan 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	24 Feb 2026
Target Date:	16 Feb 2026	Recommending Officer Signature:	<i>Jessica Szollosi</i>

Date Legal Agreement Completed: (if applicable)	8530 23 Feb 2026	No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	26 Feb 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2965

**222 Holtye Road, East Grinstead, West Sussex, RH19 3EY, , ,
Change of use of already converted garage, for short term holiday lets.
Mr Miles Wescott**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

MSDC Housing

The garage conversion is 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.

Natural England

No comment. Refer to standing advice.

EAST GRINSTEAD TOWN COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks retrospective planning permission for the change of use of already converted garage for short term holiday lets.

RELEVANT PLANNING HISTORY

DM/18/0679 - Proposed first floor side, two storey front extensions and internal alterations - Permitted 10/04/2018

GR/291/93 - Kitchen extension - Permitted 01/02/1994

GR/006/90 - First Floor Bedroom Extension and garage and conservatory - Permitted 27/02/1990

GR/389/89 - Single storey side extension - Permitted 10/01/1990

GR/088/89 - Two-storey side extension and internal alterations - Permitted 23/05/1989

SITE AND SURROUNDINGS

The holiday let is formed of a single-storey converted double-garage attached to the west elevation of the main dwellinghouse to which it relates. The holiday let features one open plan living space consisting of a bedroom, kitchenette and a separate bathroom to the rear of the living space consisting of a toilet, basin and shower. The converted garage can be accessed externally from a door located on the principal elevation of the garage and internally via a door which links the converted garage to a study within the main dwelling. The garage has large velux windows and small windows on the front door providing natural light. The converted garage takes up a small portion of the ground floor of the existing dwelling house.

The converted garage lies on the north west corner of the existing dwelling which is located to the north of the plot. Forward of the dwelling is a private driveway and soft landscaping which has off-street parking for up to five cars.

Residential properties are located to the east, west and south of the site. A public highway is located north of the site and beyond that is Larches House, a block of flats which is separated by a large garden to the front of the building.

The wider site lies within the built-up area of East Grinstead on a well screened and sheltered residential plot. The site lies within the Ashdown Forest SPA/SAC 7km sphere of influence.

APPLICATION DETAILS

The application is made under s.73a of the Town and Country Planning Act 1990 for development which has already taken place. The development which has occurred is the change of use of a single storey garage building from incidental use related to the adjoining dwellinghouse to a self-contained holiday let. The development is solely for the change of use to the converted garage. One parking space is allocated for the holiday let within the parking area to the front of the building. The use first came to the attention of the Council in December 2024.

The application is for change of use only and does not include the external alterations to the building.

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 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 it 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
DP17 - Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation
DP21 - Transport
DP26 - Character and design
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.

There are no relevant policies.

Neighbourhood Plan

East Grinstead Neighbourhood Plan (made 2016)

Relevant policies:

Policy EG2 - Areas of Development Constraint
Policy EG10 - Employment Provision
Policy EG12 - Car Parking
Policy EG16 - Ashdown Forest Protection

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 31 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:

DPE1 - Sustainable Economic Development
DPC6 - Ashdown Forest SPA and SAC
DPN2 - Biodiversity Net Gain
DPS1 - Climate Change
DPT4 - Parking and Electric Vehicle Charging Infrastructure

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) 2023 is also a material consideration and paragraphs 8, 11, 131 and 135 are considered to be relevant to this application.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows:

- o Sustainable Economic Development
- o Parking
- o Impact of Neighbouring Amenity
- o Protected Species
- o Ashdown Forest
- o Biodiversity Net Gain
- o Other matters
- o Planning Balance and Conclusion

Sustainable Economic Development

Policy DP1 of the District Plan seeks to support sustainable economic development in appropriate locations with one of the main objectives being '*to provide opportunities for people to live and work within their communities, reducing the need for commuting.*'

The retrospective application represents commercial development operating from a converted garage within the curtilage of an existing dwelling. The surrounding area is residential in nature and although commercial uses within residential areas may not always be appropriate, each case should be considered on its own merits.

The site is located within the defined built-up area boundary of East Grinstead. This is considered to be a sustainable location, with access to the local services in the town centre and to public transport links, with a bus stop two minutes' walk from the application site on Holtze Road.

The retrospective application does not seek to increase the existing footprint of the existing garage and due to the limited floorspace the level of use could not easily be intensified. The retrospective application is therefore considered to comply with DP1 and DP26 of the Mid Sussex District Plan.

Parking Provision

Policy DP21 of the Mid Sussex District Plan in part states:

'The scheme provides adequate car parking for the proposed development, taking into account the accessibility of the development, the type, mix and use of the development and the availability and opportunities for public transport; and with the relevant Neighbourhood Plan where applicable;'

Policy EG12 of the East Grinstead Neighbourhood Plan states that:

'Planning permission will only be granted where vehicle-parking provision, including cycle parking, is in accordance with West Sussex County Council adopted parking standards and it does not dominate the street scene.'

The retrospective application seeks to introduce a small-scale commercial operation by providing short-term holiday lets from a converted garage linked to the main dwellinghouse. There is a large private driveway with off-street parking for five cars. One parking space has been allocated to the holiday rental and the remaining four parking spaces will serve the main dwellinghouse.

The site will be primarily accessed by private car, however, it is considered sustainably located within the built-up area of East Grinstead within walking distance to public transport connections, including bus stops.

Given the small scale of the commercial operation and the availability of off-street parking and public transport links, the parking arrangement would be considered acceptable as it would not give rise to a significant increase in movements to or from the site.

Taking into account the above, the application is considered to comply with policy DP21 of the Mid Sussex District Plan and Policy EF12 of the East Grinstead Neighbourhood Plan.

Impact on Neighbouring Amenity

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals 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'*.

A similar ethos is contained within the Mid Sussex Design Guide SPD.

This application is for the change of use of the converted garage only and does not include any external alterations to the building. Therefore, there would not be any impact on outlook, daylight and sunlight and air and light pollution.

The use of the garage would not be considered to cause any significant overlooking and privacy concerns given that the garage entrance is located off the private driveway to the north west of the

property and a close boarded boundary fence separates the application site from the neighbouring property to the west of the site at 220 Holtye Road. Furthermore, the neighbouring dwelling is set back from the garage and the garage has no windows on the west elevation overlooking this property.

Given the separation of distance from other neighbouring properties, the modest scale of the holiday let would not be considered to cause privacy concerns to neighbouring properties.

Taking the above into account, it is considered that the proposal would not cause significant harm to the amenities of nearby residents in terms of privacy. The proposal is therefore, considered to comply with the above-mentioned part of policy DP26 and the Mid Sussex Design Guide SPD.

Protected Species

The site lies within a red zone for the likely presence of Great Crested Newts. However, on the basis that the development has already taken place and represents solely a change of use where there is no additional development, no mitigation or licence needs be secured in respect of Great Crested Newts, as confirmed via email received from Nature Space. The development is therefore compliant with policy DP38 of the District Plan.

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 one dwelling for short-term holiday lets, and as such, mitigation is required.

An appropriate scale of SAMM mitigation for the proposed development is £1,170, and the 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 has no comment on the planning application, referring the Council to Natural England's standing advice.

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 is deemed to have been granted subject to the biodiversity net gain condition for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

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.

This planning permission is also being granted on an application made under Section 73a of the Town and Country Planning Act 1990 and is therefore exempt from the requirement to provide biodiversity net gain.

Other Matters

Comments have been received from the Council's Housing Team with respect to minimum requirements should the accommodation be let out as a residential unit. Such a use would be development for which separate planning permission would be required and therefore such comments would be taken into account then. They are not relevant to the current application.

This application in terms of Section 73a of the Town and Country Planning Act 1990 is for the change of use only and does not include the external alterations to the building. These alterations would be classed as permitted development in terms of The Town and Country Planning (General Permitted Development) (England) Order 2015 in the event that the converted garage was used by the owners/occupiers for purposes incidental to the main dwelling.

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 East Grinstead Neighbourhood Plan.

For the reasons set out within the assessment section, it is considered that the application complies with Mid Sussex District Plan policies DP1, DP17, DP21, DP26 and DP38 and East Grinstead Neighbourhood Plan policy EG12.

The application would be considered to have a neutral impact on the Ashdown Forest and protected species.

In weighing up the above together, it is considered that the adverse impacts of the development would not significantly or demonstrably outweigh the benefits of the proposal. In these circumstances, paragraph 11 of the NPPF states that permission should be granted, and this is a material consideration of sufficient weight to overcome any potential conflict with the development plan.

There are no other material considerations that would alter the above planning balance.

Therefore, it is considered that the development is in accordance with the policies of the development plan and in light of the balancing exercise undertaken above that the development is acceptable in planning terms and planning permission should be granted.

Decision: Permission

Case Officer: Jessica Szollosi