

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/3080	Case Officer:	Rachel Richardson
Application Type:	Change of Use Application		
Proposal:	Change of Use of part of an existing building used as a builder's merchant (B2) to self storage (B8) including associated parking.		
Site:	Mid Sussex Timber, 79 Railway Approach, East Grinstead, West Sussex, RH19 1BY, , ,		
Validation Date	15 Jan 2026	Overall Expiry Date:	6 Feb 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	11 Mar 2026
Target Date:	12 Mar 2026	Recommending Officer Signature:	Rachel Richardson

Date Legal Agreement Completed: (if applicable)		No of Representations:	1
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Signed and Agreed By:	Stephen Ashdown	Date:	12 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/3080

**Mid Sussex Timber, 79 Railway Approach, East Grinstead, West Sussex, RH19 1BY, ,
Change of Use of part of an existing building used as a builder's merchant (B2) to self storage
(B8) including associated parking.
Mr S Waters**

SUMMARY OF REPRESENTATIONS

One letter of representation has been received raising concerns about residential amenity. Any recommendation for permission should include planning conditions in relation to the following issues:

- o Restrict hours of operation to 07:00-20:00
- o Has the BNG De Minimis threshold been met?
- o A PEA should be submitted in relation to trees and nesting birds.
- o Details of a lighting scheme to be submitted to prevent light spill
- o HGV movements should be restricted to 08:00-18:00.

SUMMARY OF CONSULTEES

MSDC Environmental Protection: No objections subject to planning conditions.

WSCC Highway Authority: No objection but recommends a planning condition.

TOWN/PARISH COUNCIL OBSERVATIONS

East Grinstead Town Council: No comment.

INTRODUCTION

Permission is sought for a change of use of part of an existing building used as a builder's merchant (B2), to self storage (B8) including associated parking.

RELEVANT PLANNING HISTORY

GR/249/85 - Removal of existing timber fencing and gates along Railway Approach frontage and erection of replacement 7ft high security fencing and gates with concrete and steel posts and 2ft chain link fencing. Approved 1 November 1985

GR/328/98 - Relocation of trade counter and showroom. Replacement of roof sheeting and wall cladding. Approved 12 January 1999

GR/319/99 - Demolition of redundant showroom building, extend timber shed roof over demolished building and recladding elevation. Approved 17 December 1999

SITE AND SURROUNDINGS

The premises at 79 Railway Approach includes a metal clad commercial building on the northern side of Railway Approach. The building is currently occupied by Mid Sussex Timber Ltd and is split into two areas. The majority of the unit operates as a builder's merchant and this will continue. A smaller part of the unit to the east has until recently been used for the storage of a sheet cutter for materials and extra storage for the timber yard. However, due to a decline in demand, this part of the unit has become

surplus to demand and it is proposed that the entire building will be operated by Mid Sussex Timber Ltd as a builders merchant.

The site is enclosed by green security fencing with three access points onto Railway Approach, two of which operate as an in and out arrangement.

The site backs onto the A22 to the north and the surrounding area is a mix of commercial and residential development. The application building is a standalone industrial unit with other commercial units in the vicinity primarily being formed from the conversion of residential buildings and being of a smaller scale. There are flats to the south and on the opposite side of Railway Approach and shops further to the east.

For the purposes of planning policy the site lies within the built up area boundary, as defined in the District Plan.

APPLICATION DETAILS

The proposed use would utilise the premises for 90-self storage rooms which would be a mix of sizes to cater for a range of customer needs.

The self-storage units are intended to be operated on a self-service basis with a key code system for the external entrance door. The intended opening hours for the self-storage units are to be the same as the existing opening hours for the builder's merchant, which is:

- o Monday - Friday 7:30 am-5 pm
- o Saturday - 8 am-1 pm
- o Sunday -Closed

The storage units will not be accessible outside of these hours as the external boundary security gates will be locked.

The management and operation of the self-storage units will be handled by an intermediary company on behalf of the applicant and will be done on a remote basis.

The proposed use will require internal refurbishment only with no external alterations required to the building or grounds.

The application proposal includes 2 additional parking spaces on a former external storage area in front of 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.

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,*
- 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 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 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 SPA and SAC
DP21 Transport
DP26 Character and design
DP29 Noise, Air and Light pollution

Site Allocations DPD

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

Relevant policies.

None.

Neighbourhood Plan

Relevant policies:

East Grinstead Neighbourhood Plan, made November 2016.

Relevant policies:

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 31st 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:

DPB1 Character and Design
DPT4 Parking and Electric Vehicle Charging Infrastructure
DPH3 Sustainable Development - Inside the Built up Area

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 NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development. Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective.

Paragraph 12 of the NPPF states '*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*'

Paragraph 39 of the NPPF states '*Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.*'

With specific reference to decision-taking paragraph 48 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.

ASSESSMENT

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

- Principle of the development
- Residential Amenity
- Transport
- Sustainability
- Ashdown Forest
- Biodiversity Net Gain

Principle

District Plan Policy DP1 supports the development and expansion of existing and new businesses in Mid Sussex.

One of the stated aims within the Core Objectives of the East Grinstead Neighbourhood Plan is to:

'Promote development that will provide sustainable economic growth, including business and tourism related development and maintain a prosperous town centre;'

Policy EG10 (Employment Provision) of the Neighbourhood Plan states that:

'Planning permission will be granted for the redevelopment, extension or alteration of existing B use category business premises.'

Applications will be granted where they:

- (1) Are on a site defined as previously developed land;*
- (2) Meet the parking requirements of the adopted Development Plan;*
- (3) Provide a high quality landscape setting;*
- (4) Demonstrate that the residual cumulative impacts of development on the transport network are not severe;*
- (5) Meet their own infrastructure needs; and*
- (6) Are in a location and of a scale, form and design which is in character with its surroundings.*

Proposals for mixed-use redevelopment of 'previously developed' business sites will be permitted providing the proposal includes a qualitative enhancement in the business floorspace being provided.

Policy EG10a The loss of lawful business premises and sites within the existing settlement confines will be generally resisted. Planning permission will only be granted if it can be demonstrated that the site has been unsuccessfully marketed for employment/business re-use for a period of at least 6 months; the building is unsuitable or unviable for continued business use; there is no reasonable prospect of the take up or continued use for business use at the site/premises in the longer term; and the proposal meets other policies of the Development Plan.'

The proposal is to utilise a commercial building to provide storage units (B8), on an underused previously developed brownfield site. The proposal will result in a new centrally located business development. This accords with the aims of District Plan Policies DP1 and DP6 for commercial and employment facilities to be provided within the accessible town centre of East Grinstead. The proposal also accords with the stated Neighbourhood Plan objectives and the aims of Neighbourhood Plan Policy EG10. The principle of the proposed development is therefore acceptable.

Residential Amenity

District Plan Policy DP26 requires that development *'does 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.'* Neighbourhood Plan Policy EG3 refers to the requirement for development not to harm adjoining amenity.

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. As such, Policy DP26 of the MSDP is considered to take precedence and therefore the test in this instance is whether the development causes significant harm to neighbouring amenities as outlined above.

District Plan Policy DP29 states that development will only be permitted where it is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area.

The proposed self storage is considered to be of low impact and would not amount to significant harm to neighbouring amenity. The Submitted Transport Statement confirms that there will be a reduction in traffic movement as a result of the proposed use.

Environmental Protection has also recommended a condition to restrict hours of operation in the interests of protecting residential amenity.

Given the above, it is considered that the proposal is compliant with the above policies.

Highways

District Plan Policy DP21 sets out a number of criteria relating to the transport impacts of proposals including the provision of adequate car parking, avoiding severe additional traffic congestion and protecting the safety of road users and pedestrians.

Neighbourhood Plan Policy EG12 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 applicants Planning Statement confirms that;

'The application is supported by a Transport Statement prepared by TTP Consulting which confirms that the existing accesses are operating safely with no accidents being reported within the vicinity of the site in the last five years. The report indicates that the site is in a location which could attract people by modes other than the private car, albeit sustainable transport may not be that attractive given the proposed use. Servicing of the site will continue as per the current time, and the proposed change of use will not affect this.

The report also includes an analysis of trip generation associated with the existing and proposed uses and concludes that there is likely to be a reduction in daily trips associated with the proposed use. Finally, the report confirms that in terms of parking demand when taking into account the demand arising from the retained builder's merchant, an additional two parking spaces should be provided on site. These are proposed to be provided in front of the proposed self-storage. Swept path analysis is included which indicates the proposed parking arrangements can accommodate both cars and small vans. The level of proposed parking is in accordance with policy.'

The above is considered to be an acceptable assessment of the proposed use. The Local Highway Authority has also raised no objections subject to provision of the proposed parking spaces. As such, the proposed use is considered to be compliant with the relevant policies.

Sustainability

DP1 supports existing businesses. The Planning Statement confirms that, *'the conversion of this part of the building will enable the applicant to have another income stream to their business which will strengthen their economic base. It will also provide some indirect employment through the company that is going to manage the operation of the self-storage units. The change of use of this part of the building will not bring about any direct loss or gain of employment at the site.'*

It is located within the built up area and surrounded by other commercial uses. It is highly accessible and therefore complies with DP1 and national policy within the NPPF.

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 does not result in a net increase in dwellings within the 7km zone of influence and so mitigation is not required.

Atmospheric pollution

Increased traffic emissions as a consequence of new development may result in additional 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 potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on 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 there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.

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

A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

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 East Grinstead Neighbourhood Plan.

Courts have confirmed that the Development Plan must be considered as a whole, not simply in relation to any one individual policy. It is therefore not the case that a proposal must accord with each and every policy within the Development Plan.

Given the above assessment, it is considered that the proposal is acceptable and meets the criteria of relevant planning policies and it is recommended that permission be granted.

Decision: Permission

Case Officer: Rachel Richardson