

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1695	Case Officer:	Rachel Richardson
Application Type:	Removal/Variation of Condition		
Proposal:	Variation of condition No: 2 of planning permission DM/23/2188/HOUS to amend the plans approved to allow for minor construction changes and changes in drawing numbers.		
Site:	31 The Old Convent, East Grinstead, West Sussex, RH19 3RS, , , ,		
Validation Date	16 Sep 2025	Overall Expiry Date:	8 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	6 Jan 2026
Target Date:	11 Nov 2025	Recommending Officer Signature:	Rachel Richardson

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	6 Jan 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1695

**31 The Old Convent, East Grinstead, West Sussex, RH19 3RS, , ,
Variation of condition No: 2 of planning permission DM/23/2188/HOUS to amend the plans
approved to allow for minor construction changes and changes in drawing numbers.
Michael Cassin**

SUMMARY OF REPRESENTATIONS

None.

SUMMARY OF CONSULTEES

Conservation Officer: No objection.

TOWN COUNCIL OBSERVATIONS

East Grinstead Town Council

No comment.

INTRODUCTION

This application seeks permission, under section 73 of the Town and County Planning Act 1990, to vary condition 2 of planning permission DM/23/2188/HOUS which was granted on the 18th October 2023 for a "timber and glass side extension, enlargement of an existing window to form a door, enlargement of the external paved area and erection of a single storey swimming pool building in the rear garden" at 31 The Old Convent, East Grinstead.

RELEVANT PLANNING HISTORY

GR/036/78. Adaptation of existing premises being a Grade II Statutory Listed Building to residential units and re-use of existing houses. Permission 29.08.1978

GR/171/90. PROPOSED ALTERATION TO FORM W.C. TO GROUND FLOOR OF NO. 31. Permission 04.07.1990

DM/23/2189. Single storey side extension, change window to a door, alterations to patio and pool building. Permission 17.10.2023

DM/24/0162. Discharge of conditions 4 and 8 of DM/23/2188/HOUS. Permission 11.04.2024

DM/25/1685. Discharge of conditions 3 and 6 of DM/23/2189/LBC. Permission 11.09.2025

SITE AND SURROUNDINGS

The application site is a Grade I listed former convent building, dating from 1865-90 and built to a design by G E Street. The building was subject to residential conversion during the late 1970s into a number of units.

The Convent buildings are set in extensive and very attractive landscaped grounds.

The current proposal relates to no. 31 which is a semi-detached house located to the south-west of the main convent building. It has a generous rear garden which slopes downhill across the site in a north-westerly direction. It adjoins the cemetery to the north and backs onto the rear garden of 9 St Michaels Road. The railway line is situated within proximity to the west.

The application site is located in the red zone for great crested newts and there is a pond to the south of properties in St Michaels Road. There are also trees covered by a planning condition covering the site.

For the purposes of policy the site is situated within the built up area boundary as defined in the Mid Sussex District Plan.

APPLICATION DETAILS

The application form states that the application seeks to amend the drawing numbers to pick up general minor construction changes. These have been raised through the design and fabrication design process.

The application proposes to replace the following drawing numbers: Proposed Floor and Elevations Plan 6276/72A and Sections 6276/54A with:

1743_3.001 As Proposed Site Plan and Section

1743_3.002 As Proposed Plans

1743_3.003 As Proposed Elevations

It is proposed to move the pool building to the northeast by 1m and closer to the house.

Minor changes to the windows/doors of the pool building are also proposed including removal of the external door to the plant room.

Two rooflights are now proposed on the south elevation.

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, the Mid Sussex Site Allocations DPD and the 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.

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

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

The East Grinstead Neighbourhood Plan was made on 23rd March 2016. It contains the following relevant policy:

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EG3: Promoting Good Design

EG4: Heritage Assets

Other Legislation

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 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks and as a result of this consultation there are unresolved objections to some of the policies in the draft District Plan. 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.

DPB1: Character and Design

DPB2: Listed Buildings and Other Heritage Assets

Mid Sussex Design Guide Supplementary Planning Document

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)

Planning Practice Guidance

ASSESSMENT

The application is submitted under Section 73 of the Town and Country Planning Act 1990. The Act states that *"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application."

The principle of the development has been established by virtue of the previous permission. As such it is only necessary to consider the specific changes that are proposed to the previously approved development. The proposed amendments are mentioned above under 'application details'.

Character and Design

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *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 (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.'*

EGNP Policy EG3 has similar wording to DP26.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (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.'

Policy DP34 states inter alia that:

'Listed Buildings

Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- o A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- o Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- o Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- o Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- o Special regard is given to protecting the setting of a listed building;*
- o Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.'*

Policy EG4 states:

'Applications affecting designated and non-designated heritage assets must be supported by an appropriately detailed assessment of their heritage significance and the impact of the proposals on that significance. '

The proposed alterations to change the fenestration of the pool building by removing an external door and installing rooflights to the south, as well as moving the position of the pool building away from the

rear boundary, are considered to be acceptable in design terms and will not harm the setting of the listed property.

The conservation officer was consulted and concluded that,

'These amendments are not considered contentious, and will not adversely affect the impact on the setting of the Grade I listed buildings at the Old Convent.'

This meets the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.'

Your Officer agrees with the comments made by the Conservation Officer.

It is considered that the proposed alterations are of minor significance and are acceptable and in accordance with relevant planning policies specified above.

CONCLUSION

In conclusion the proposed alterations are considered to be acceptable in design terms and will not harm the setting of the listed building . Therefore, the proposal complies with policies DP26 and DP34 of the Mid Sussex District Plan, and policies EG3 and EG4 of the East Grinstead Neighbourhood Plan and the Mid Sussex Design Guide SPD as well as national policy provisions contained within the NPPF.

Decision: Permission

Case Officer: Rachel Richardson