

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0399	Case Officer:	Jessica Szollosi
Application Type:	Householder Application		
Proposal:	Retrospective application for the conversion of the rear part of the garage into a family/play room, including alterations to the fenestration on the east elevation and installation of a roof lantern		
Site:	2 Dirty Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3RY, , ,		
Validation Date	19 Feb 2026	Overall Expiry Date:	9 Apr 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	16 Apr 2026
Target Date:	16 Apr 2026	Recommending Officer Signature:	Jessica Szollosi

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	16 Apr 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0399

**2 Dirty Lane, Ashurst Wood, East Grinstead, West Sussex, RH19 3RY, ,
Retrospective application for the conversion of the rear part of the garage into a family/play room, including alterations to the fenestration on the east elevation and installation of a roof lantern
Mrs Rodabe Rudin**

SUMMARY OF REPRESENTATIONS

No third-party letters or representation have been received.

SUMMARY OF CONSULTEES

None.

PARISH COUNCIL OBSERVATIONS

The Ashurst Wood Village Council have no objections to the proposal.

INTRODUCTION

The retrospective application seeks planning permission for the conversion of the rear part of the garage into a family/play room, including alterations to the fenestration on the east elevation and installation of a roof lantern.

RELEVANT PLANNING HISTORY

GR/176/94 - Ground and first floor extension - Permitted 08/09/1994

GR/176/94/AP1 - Amended plans: Amended plans received showing revised design of single storey side extension - Permitted 06/09/1995

GR/291/97 - Two storey extension to existing house residence - Permitted 17/11/1997

SITE AND SURROUNDINGS

The application property is a west-facing semi-detached two-story residential dwelling located to the east of Dirty Lane within the built-up area boundary of Ashurst Wood and on the boundary of the Countryside Area of Development Restraint.

The application property is constructed with brick with tile hanging on the principal elevation, plain roof tiles and white uPVC fenestration and a single garage attached to the north elevation of the dwelling, the conversion of which forms the basis of this retrospective planning application. The dwelling has a driveway forward of the principal elevation which can occupy up to 4 vehicles. The locality is rural and the is characterised by its verdancy.

To the north and east of the site are open fields which form part of the Countryside Area of Development Restraint. Directly south of the site, 1 Dirty Lane is a semi-detached dwelling adjoining the application dwelling and 3 School Lane, Ashurst Wood is a dwelling located to the south east. To the west of the site is Ashurst Wood Community Preschool and Primary School.

APPLICATION DETAILS

The retrospective application is made pursuant to s. 73a of the Town and Country Planning Act 1990 (as amended) and seeks retrospective planning permission for the conversion of the rear part of the garage into a family/play room, including alterations to the fenestration on the east elevation and installation of a roof lantern.

The only external changes are alterations to the fenestration on the east of the property facing the rear garden and the installation of a roof lantern, the top of which is visible from the street scene. The garage door fronting the street remains in situ. The materials implemented are similar in appearance to the existing dwellinghouse.

Planning permission for the conversion of the garage into habitable space is required due to condition 3 of planning permission GR/291/97 which states as follows:

'The garage shown on the approved drawings shall not be used for any purposes (including use as living accommodation) other than for the garaging or storage of private motor vehicles and no trade or business should be carried out therefrom.'

Reason: To safeguard the amenities of the neighbouring properties and to ensure the provision of off street parking provision.'

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 Ashurst Wood 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:

DP16 - High Weald Area of Outstanding Natural Beauty
DP17 - Ashdown Forest Special Area of Conservation and Special Protection Area
DP21 - Transport
DP26 - Character and Design

Site Allocations Development Plan Document

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

There are no relevant policies.

Ashurst Wood Neighbourhood Plan

The Ashurst Wood Neighbourhood Plan was made in June 2016.

Relevant policies:

ASW1 - Protection of countryside
ASW11 - Development within the built-up area boundary
ASW14 - Design and character

ASW21 - Parking provision

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 hearings were concluded on the 19th March 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.

As such, this planning application has been assessed against the policies of the adopted District Plan.

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 Policy

The National Planning Policy Framework (NPPF) 2023 is also a material consideration and paragraphs 8, 11, 131 and 135, 189, 190 are considered to be relevant to this application.

National Design Guide (Published January 2021)

High Weald AONB Management Plan 2024-2029

High Weald Housing Design Guide (November 2019)

ASSESSMENT

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

- Protection, Conservation and Enhancement of the High Weald AONB and Countryside
- Parking Provision
- Design and Character
- Impact on Neighbouring Properties
- Ashdown Forest Special Area of Conservation and Special Protection Area
- Biodiversity Net Gain
- Planning Balance and Conclusion

Protection, Conservation and Enhancement of the High Weald AONB and Countryside

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. Section 82 reiterates the main 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 Mid Sussex District Plan requires proposals in the AONB to conserve or enhance natural beauty.

Paragraph 189 of the NPPF is also relevant as it states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues.'

Policy ASW1 of the Ashurst Wood Neighbourhood Plan states that:

'Outside of the Built Up Area Boundary, which is defined in Map 1, priority will be given to protecting and enhancing the countryside from inappropriate development.'

The modest scale of the proposal is considered to protect the intrinsic character and beauty of the countryside whilst also conserving the natural beauty of the High Weald AONB due to it being viewed within the existing established residential curtilage. As such, the proposal would comply with the requirements of Policy DP16 of the District Plan, Policy ASW1 of the Ashurst Wood Neighbourhood Plan, and the requirements of the High Weald Management Plan and the NPPF.

Parking Provision

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

'Development will be required to support the objectives of the West Sussex Transport Plan 2011- 2026, which are:

...decision on development proposals will take account of whether

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 ASW14 of the Ashurst Wood Neighbourhood Plan states that:

All proposals will be expected to identify how they address the local surroundings and landscape context by:

'(i) Providing off-street parking space in accordance with Policy 21 and ensuring that garages reflect the architectural style of the house they serve and are set back from the street frontage wherever possible to reflect the local character and context. Parking should be positioned between dwellings, rather than in front, so it is not prominent in or does not dominate the street scene to the detriment of local character; and the visual impact of parking areas should be minimised wherever possible by the use of alternative surfaces and screening.'

Policy ASW21 of the Ashurst Wood Neighbourhood Plan states that:

'(a) Development proposals that generate an increased need for parking must provide adequate and suitable off-street parking in order to minimise obstruction of the local road network in the interests of the safety of all road users, including pedestrians and cyclists. In the case of residential development, a minimum of two parking spaces will be required for units with 1 - 3 bedrooms, and a minimum of three parking spaces will be required for units with 4 or more bedrooms; unless it can be satisfactorily demonstrated that an alternative provision would be appropriate on a specific site. Parking spaces can take the form of spaces or garaging/car port facilities, but must be permanently available for parking use.'

(b) Proposals that would reduce the existing level of off-street parking provision will be resisted unless it can be satisfactorily demonstrated that the amount of overall provision is adequate.'

West Sussex County Council Parking Standards Guidance (2020), together with Policy ASW21 of the Ashurst Wood Neighbourhood Plan outlines the County Council's approach to parking at new developments to ensure that sufficient parking is provided to meet the needs of the development while maintaining highway network operations, protecting surrounding communities and pursuing opportunities to encourage use of sustainable modes of transport. West Sussex County Council Parking Standards Guidance (2020) and Policy ASW21 of the Ashurst Wood Neighbourhood Plan outlines that for a four bedroom dwelling in this location, three parking spaces should be provided.

Whilst the loss of garage space is regrettable, there remains four off street parking spaces to the front of the dwelling which is in line with the parking standards set out above.

Furthermore, the site is sustainably located within the built up area boundary of Ashurst Wood with access to public transport links via the bus stop on corner of Chapel Lane and Hammerwood Road, 0.3 miles from the site.

In light of the above, the loss of the garage space would be considered acceptable in planning terms and the proposed would accordingly comply with policy DP21 of the Mid Sussex District Plan and policy AW21 of the Ashurst Wood Neighbourhood Plan.

It is therefore considered that, in this instance, the loss of garage space would be acceptable in terms of policy DP21 of the Mid Sussex District Plan and Policies ASW14 and ASW21 of the Ashurst Wood Neighbourhood Plan.

Design and Character

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:

- o Is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o Creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o Protects open spaces, trees and gardens that contribute to the character of the area;*
- o Protects valued townscapes and the separate identity and character of towns and villages;*
- o 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);*
- o Creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- o Incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o Positively addresses sustainability considerations in the layout and the building design;*
- o 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;*
- o Optimises the potential of the site to accommodate development'.*

Policy ASW14 of the Ashurst Wood Neighbourhood Plan relating to design and character states that:

'All new development (including extensions and additions to individual properties) must demonstrate good quality design and respect the existing character and appearance of the surrounding area. All proposals will be expected to identify how they address the local surroundings and landscape context...'

The Mid Sussex Design Guide seeks high quality design from all proposed development.

The application property is a two-storey semi-detached dwelling comprising brick and tile hung walls, uPVC fenestration and plain tile roofs with an attached garage and a large driveway providing off-street parking for four motor vehicles. The site is located in the High Weald Area of Outstanding National Beauty and within the Ashdown Forest SPA Zone of Influence. The application site is located within the boundary of the built up area of Ashdown Wood and on the boundary of the Countryside area of development restraint which borders the north and east boundaries of the application site. The verdant rural location is characterised by open countryside and low-density development.

To the south of the site, 1 Dirty Lane is a semi-detached residential dwelling attached to the application property's south elevation which is constructed in the same materials as the application property. To the south east, 3 School Lane is a semi-detached dwelling separated by distance and screened by a large hedge. Ashurst Wood Community Preschool and Primary School is located on School Lane to the east of the site.

The retrospective application pursuant to S.73a of the Town and Country Planning Act 1990 (as amended) seeks to convert the rear portion of the attached garage to habitable accommodation with associated alterations to the fenestration on the east elevation and the installation of a roof lantern.

The external works include the removal of a single door and window to the rear of the garage on the east elevation, replacing it with white uPVC and glass French doors which match the existing fenestration. Furthermore, the proposal seeks to install a roof lantern to the rear of the converted garage to provide more light to the space. Internally, a wall has been constructed to divide the remaining garage space for storage and the proposed family/play room.

The installation of the French doors are not visible from the street scene, while the top of the roof lantern is visible from the street scene given that majority of the structure is concealed behind the garage parapet wall. It is considered that the modest proposal and matching materials used would be acceptable in design terms and would not appear incongruous with the character of the area.

Accordingly, the development would not have a harmful impact on the character of the area or the dwelling and therefore the proposal is considered to comply with policy DP26 of the Mid Sussex District Plan and policy ASW14 of the Ashurst Wood 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'*.

Policy ASW14 of the Ashurst Wood Neighbourhood Plan states that:

'All proposals will be expected to identify how they address the local surroundings and landscape context by:

(j) Ensuring that the living conditions of adjoining residents (including privacy, daylight, sunlight and outlook) are safeguarded.'

In accordance with planning law, where there is a conflict between policies, greater weight should be given to the more recently adopted policy, which in this case is policy DP26.

With regards to the impact on neighbouring amenity, no changes to the scale, form or height of the building have been implemented. No loss of light or outlook would therefore arise from the proposal. The development would not be considered to cause any significant overlooking and privacy concerns as the proposed French doors lead out towards the rear garden and the roof lantern is not overlooked by neighbouring development. Given the domestic nature of the development, it is considered that there would not be any significant harm in terms of noise, air or light pollution.

Given the above, the development would not cause significant harm to the surrounding properties and thereby complies with this part of policy DP26 of the Mid Sussex District Plan and policy ASW14 of the Ashurst Wood Neighbourhood Plan.

Ashdown Forest Special Area of Conservation and Special Protection Area

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.

An overall Habitats Regulations Assessment has been undertaken for the planning application which includes the type of development proposed.

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.

It is considered that the proposed development will not lead to a significant increase in traffic across Ashdown Forest. 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 types of development identified which includes this 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. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the development would accord with the requirements of policies DP16, DP21 and DP26 of the Mid Sussex District Plan, Policies ASW1, ASW14 and ASW21 of the Ashurst Wood Neighbourhood Plan, the High Weald Management Plan and the relevant provisions of the NPPF given that the proposed development is appropriate in terms of design, form and scale and will not negatively impact the host dwelling or the character of the surrounding area and will not harm the neighbouring amenities, while meeting the requisite parking standards.

The development is therefore considered acceptable.

Decision: Permission

Case Officer: Jessica Szollosi