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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

REFUSAL

REFERENCE: DM/24/0553

DESCRIPTION: DEMOLITION OF EXISTING GARAGE AND ERECTION OF A SELF-BUILD DETACHED HOUSE.

LOCATION: THE CROFT, HOLTYE ROAD, EAST GRINSTEAD, WEST SUSSEX

DECISION DATE: 20 MAY 2025

CASE OFFICER: ANDREW WATT - ANDY.WATT@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **REFUSE** to permit the above development as shown in the submitted application and plans.

The reasons for the Council's decision are:-

1. The proposed development is located within the countryside and occupies a location which is distant from a built-up area boundary where local and community services will not be readily accessible. As such future occupiers will be heavily reliant on the private car to meet their daily needs, given that alternative modes of transport are unlikely to be a viable option. The proposed dwelling, due to its detailed design (scale, footprint, height, modern appearance, roof form, materials, and proportions and extent of glazing), and resultant external car parking and surfacing access for both host and new dwelling, would be unduly prominent and harmful to the rural character and appearance of the High Weald Area of Outstanding Natural Beauty and to the setting of the Grade II listed Fairlight Farm. Whilst the provision of 1 new dwelling on the site will make a minor but positive contribution to the district's housing supply, would result in construction jobs over the life of the build for this self-build dwelling and would result in an increased population likely to spend in the

community, the small-scale of the development proposed means that these benefits would be limited. Taken together, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal, as per paragraph 11 d) ii of the NPPF, and would fail to comply with Policies DP12, DP16, DP26 and DP34 of the Mid Sussex District Plan, Policies EG1 and EG3 of the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide SPD and the NPPF, in particular, paragraphs 182 and 215.

2. The proposal does not adequately mitigate the potential impact on the Ashdown Forest SPA and SAC and therefore would be contrary to the Conservation of Habitats and Species Regulations 2017, Policy DP17 of the Mid Sussex District Plan, Policies EG5 and EG16 of the East Grinstead Neighbourhood Plan and paragraph 193 of the National Planning Policy Framework.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Existing Floor and Elevations Plan	JER-0291-200	garage to be demolished	12.03.2024
Existing Elevations	none	the croft	01.03.2024
Topographical Survey	none		01.03.2024
Location Plan	JER-0291-100		01.03.2024
Block Plan	JER-0291-102 REV	B	21.01.2025
Proposed Floor Plans	JER-0291-700	C	21.01.2025
Proposed Elevations	JER-0291-701	B	21.01.2025



Ann Biggs
Assistant Director Planning and Sustainable Economy

REFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).

