

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2333	Case Officer:	Tracie Axford
Application Type:	Householder Application		
Proposal:	Proposed installation of an office shed in the garden.		
Site:	Blackbirds, Bramble Hill, Balcombe, Haywards Heath, West Sussex, RH17 6HR, ,		
Validation Date	25 Sep 2025	Overall Expiry Date:	31 Oct 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	18 Nov 2025
Target Date:	20 Nov 2025	Recommending Officer Signature:	<i>Tracie Axford</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	19 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2333

**Blackbirds, Bramble Hill, Balcombe, Haywards Heath, West Sussex, RH17 6HR,
Proposed installation of an office shed in the garden.
Stephen Harris**

SUMMARY OF REPRESENTATIONS

None received

SUMMARY OF CONSULTEES

Tree Officer Response - No objection, adherence to AMS and TPM require condition.
Southern Water - no objection

BALCOMBE PARISH COUNCIL OBSERVATIONS

Balcombe Parish Council stated that they have 'no objection in principle to the installation of a garden office shed. However, the Council expressed concern regarding the proposed location of the structure. It was noted with disappointment that two native trees are proposed to be removed. Additionally, the Council is concerned that the positioning of the shed could negatively impact a neighbouring tree and would result in the removal of a boundary hedge, to be replaced by the garden office.

The Council considers the current siting of the proposed structure to be inappropriate and potentially detrimental to the surrounding natural environment and neighbouring properties. As such, while not objecting to the concept, the Parish Council feels that the proposed application is ill-placed in its current form.

INTRODUCTION

This application seeks permission for the installation of a low profile, timber clad office shed in the far rear north westerly corner of the garden.

RELEVANT PLANNING HISTORY

DM/25/0873 - Rear and side single storey extension, front porch extension, changes to fenestration and render to upper parts. Permission Granted July 2025

SITE AND SURROUNDINGS

The site is located within the Balcombe built up area boundary, the Balcombe Conservation Area and the High Weald Area of Outstanding Natural Beauty.

The existing dwelling is a two-storey detached residential property which is characterised by bare brown brickwork walls to the ground floor and tile hung to the first floor, brown roof tiles and brown fenestration. To the front of the property is a driveway.

The rear garden is wider than the plot that the dwelling sits on as it extends behind the adjacent Bramble Hall which is the village hall for the Balcombe parish. The rear garden slopes down away from the property and is set over 2 principal levels. It is surrounded by hedgerows on all sides.

APPLICATION DETAILS

This application seeks permission for the installation of a low profile, timber clad office shed in the far rear westerly corner of the garden. The shed will measure 4 metres in depth and will be 8 metres wide and will have a maximum height of 3 metres.

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 the Balcombe 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:

DP16 - High Weald Area of Outstanding Natural Beauty
DP26 - Character and Design
DP35 - Conservation Areas
DP37 - Trees, Woodlands and Hedgerows

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.

Balcombe Neighbourhood Plan (made September 2016)

Relevant policies:

Policy 3 - Design

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:

DPC4: High Weald Area of Outstanding Natural Beauty
DPB1: Character and Design
DPB3: Conservation Areas

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 High Weald Area of Outstanding Natural Beauty Management Plan 2024-2029

ASSESSMENT

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."*

Policy 3 of the Balcombe Neighbourhood Plan which also relates to design states:

'The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view'

The proposed timber clad garden room will measure 8 metres in length by 4 metres wide and is therefore larger than the existing garden shed, however the design, size and scale is considered to be appropriate to the size of the rear garden. The proposal will not be visible from the public domain. It is therefore considered to comply with policy DP26 of the District Plan and Policy 3 of Balcombe Neighbourhood Plan.

Impact on Neighbour amenities

In terms of impact upon neighbouring amenities Policy DP26 in part seeks to ensure 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 (see Policy DP29);'

The proposed garden room is orientated to the north west of the main dwelling. Owing to the orientation, combined with the single storey nature of the proposal and the existing boundary treatments and screening between the application site and the neighbouring dwellings it can be concluded that the proposal would not have a significant impact in terms of overlooking, loss of privacy, reduction in sunlight and daylight and a loss of outlook. The applicant has confirmed that the use of the building will be a gym, music room, office and playroom and will be incidental to the main dwelling. The proposal is therefore considered to comply with the policy DP26 of the Mid Sussex District Plan.

Impact on Conservation Area

Blackbirds is located within the Balcombe Conservation Area, which was established in August 1984 and extended in March 1990.

The District Plan contains Policy DP35, which requires development to conserve or enhance the special character and appearance of Conservation Areas. The Policy states:

'Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- o New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;*
- o Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;*
- o Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;*
- o Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;*
- o Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;*
- o New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.'*

Due to the siting of the proposed garden room at the far corner of the rear garden, it will not be seen from the public domain. It is therefore considered that it will not have an effect on the conservation area and complies with policy DP35 of the Mid Sussex District Plan.

Impact on the High Weald Area of Outstanding Natural Beauty

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 which at Section 82 reaffirms the primary 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 16 of the District Plan requires proposals in the AONB to conserve or enhance natural beauty. Paragraph 189 of the NPPF 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.

The proposed garden room is situated in the rear garden of the dwelling and will not be visible from the public domain. The design and character of the garden room is considered acceptable within the rear garden. As such it would not have any adverse impact on the landscape quality of the AONB and the complies with the requirements of policy DP16 of the District Plan, High Weald AONB Management Plan 2024-2029 and paragraph 189 of the NPPF.

Impact on the Trees, Woodlands and Hedgerows

Policy DP37 of the Mid Sussex District Plan deals with Trees, Woodlands and Hedgerows and states (in part),

'Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*
- o prevents damage to root systems and takes account of expected future growth; and*
- o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and*
- o has appropriate protection measures throughout the development process; and*
- o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and*
- o does not sever ecological corridors created by these assets.*

Proposals for works to trees will be considered taking into account:

- o the condition and health of the trees; and*
- o the contribution of the trees to the character and visual amenity of the local area; and*
- o the amenity and nature conservation value of the trees; and*
- o the extent and impact of the works; and*
- o any replanting proposals.*

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

The MSDC tree officer was consulted with regards to this application and reviewed the tree report. They had no objection to the proposal, but requested that adherence to the Tree Report in respect of the Tree Protection measures is conditioned. Therefore, in terms of impact to trees, the proposal is deemed to comply with DP37 of the Mid Sussex District Plan.

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

The scale and design of the proposed garden room is considered appropriate to, and subordinate in form to, the existing house and are considered to accord with District Plan Policy DP26, Balcombe Neighbourhood Plan Policy 3 and the Design Guide principles.

The proposed garden room will preserve this part of the Balcombe Conservation Area. This accords with the aims of District Plan Policy DP35 and the aims of the NPPF with regards to preserving heritage assets. As the garden room would be sited in the rear garden it would not impact local views in the High Weald AONB. Therefore it can be considered that this application accords with Policy DP16, DP26, DP35 and DP37 of the Mid Sussex District Plan, Policy 3 of the Balcombe Neighbourhood Plan and the relevant NPPF and AONB guidance and is recommended for approval.

Decision: Permission

Case Officer: Tracie Axford