

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0685	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed log cabin in our back garden to provide a gymnasium and games room		
Site:	Ash Vale, Shipley Bridge Lane, Copthorne, Crawley, West Sussex, RH10 3JL, ,		
Validation Date	14 Mar 2025	Overall Expiry Date:	8 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 May 2025
Target Date:	9 May 2025	Recommending Officer Signature:	<i>Catherine Cardin</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	6 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0685

**Ash Vale, Shipley Bridge Lane, Copthorne, Crawley, West Sussex, RH10 3JL,
Proposed log cabin in our back garden to provide a gymnasium and games room
Mr And Mrs Ahearn**

REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

Defer to Officer - with a non-severance clause attached.

INTRODUCTION

Planning permission is sought for a log cabin.

RECENT PLANNING HISTORY

DM/19/0196- Roof loft extension, incorporating 2 new windows and a double opening window with Juliette balcony to rear elevation and a new window to side elevation. Permission.

SITE AND SURROUNDINGS

The application property is a detached two-storey dwelling of red brick construction, with black uPVC windows and a plain tile roof. The dwelling has black timber cladding to the first-floor elevation. The property benefits from an existing outbuilding to the rear of the dwelling.

The site lies within the built-up area boundary of Copthorne. Neighbouring properties are located to the east, west and south. Highway is located to the north.

APPLICATION DETAILS

The proposed log cabin would be sited to the rear of the property. This would measure some 9 metres in width and some 4.5 metres in depth. This would have a maximum height of some 2.5 metres and a height to the eaves of some 2.3 metres. The log cabin is proposed to be used as a gymnasium and games room. The proposed building would be timber clad.

LEGAL FRAMEWORK AND LIST OF POLICIES

This application is to establish whether the proposed development would benefit from permitted development rights and will be a legal decision; planning merits cannot be taken into account when considering this application.

The proposal will be tested against the relevant criteria of Part 1, Class E, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

Permitted Development

This provides permitted development rights within the curtilage of a house for:

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure or
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas

Development not permitted

E.1 Development is not permitted by Class E if -

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 2 of this Schedule (change of use)
- (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)
- (c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse
- (d) the building would have more than a single storey
- e) the height of the building, enclosure or container would exceed -
 - (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case
- (f) the height of the eaves of the building would exceed 2.5 metres
- (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building
- (h) it would include the construction or provision of a verandah, balcony or raised platform
- (i) it relates to a dwelling or a microwave antenna
- (j) the capacity of the container would exceed 3,500 litres.

E.2 In the case of any land within the curtilage of the dwellinghouse which is within -

- (a) a World Heritage Site,
- (b) a National Park, ,
- (c) an area of outstanding natural beauty or
- (d) the Broads,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse

Interpretation of Class E

E.4 For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse

ASSESSMENT

The property's planning history has been checked and household permitted development rights are understood to be intact for the proposed development. The proposal would not be located on Article 2 (3) land.

The proposed development would be for a purpose incidental to the enjoyment of the dwellinghouse. The proposal would not result in the total area of ground covered by buildings, enclosures and containers within the curtilage exceeding 50% of the total area of the curtilage. The proposed building would not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse. The building would be a single storey. The height of the building would not exceed 2.5 metres and the height of the eaves would not exceed 2.5 metres. The building would not be situated within the curtilage of a listed building, and it would not include the construction or provision of a verandah, balcony or raised platform.

The Article 4 Direction PR/01453/ART4 that the application site lies within prohibits the use of the land for the erection or placing thereon of moveable structures used for human habitation without planning

permission first being obtained. As this application relates to an outbuilding that cannot be moved, this is not deemed to be relevant.

The comments of the parish council are noted, however given the type of application submitted a non-severance clause cannot be attached.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore a certificate can be issued.

Decision: Permission

Case Officer: Catherine Cardin