

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1617	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Construction of a freestanding, single-storey garden outbuilding for incidental residential use (home office and gym).		
Site:	17 Appledore Gardens, Lindfield, Haywards Heath, West Sussex, RH16 2ES, ,		
Validation Date	24 Jun 2025	Overall Expiry Date:	21 Jul 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 Aug 2025
Target Date:	19 Aug 2025	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Stephen Ashdown	Date:	14 Aug 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1617

**17 Appledore Gardens, Lindfield, Haywards Heath, West Sussex, RH16 2ES, ,
Construction of a freestanding, single-storey garden outbuilding for incidental residential use
(home office and gym).
Mr Jonathan Wright**

REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

None received.

INTRODUCTION

Planning permission is sought for a garden outbuilding.

RECENT PLANNING HISTORY

CU/360/75- Rooms in roof space. Permission.

CU/128/83- Extension to living room. Permission.

DM/15/1649- Single storey rear side kitchen extension and first floor extension over existing ground floor. Permission.

SITE AND SURROUNDINGS

The application property is a detached two-storey dwelling of red brick construction, with white upvc windows and a plain tile roof.

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

APPLICATION DETAILS

The proposed garden outbuilding would be sited to the rear of the property. This would be 'I shaped' and would measure some 3.8 metres in depth and some 3.6 metres in width at the larger end, and some 1.8 metres in depth and some 2.8 metres in width and the smaller end. This would have a flat roof with a maximum height of some 2.4 metres. It is proposed to use this as a home office and gym. 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 property is 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 is not 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 proposal would not be located on Article 2 (3) land.

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