

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/1061	Case Officer:	Anna Tidey
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed garage, storage and workshop to the rear of the property.		
Site:	2 Muddleswood Cottages, Brighton Road, Newtimber, Hassocks, West Sussex, BN6 9BP, ,		
Validation Date	28 Apr 2026	Overall Expiry Date:	26 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	19 Jun 2026
Target Date:	23 Jun 2026	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	22 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/1061

**2 Muddleswood Cottages, Brighton Road, Newtimber, Hassocks, West Sussex, BN6 9BP,
Proposed garage, storage and workshop to the rear of the property.
Ms N Stevenson**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water: No objections.

PARISH COUNCIL OBSERVATIONS

Newtimber Parish Council: No objections.

INTRODUCTION

This application seeks a Lawful Development Certificate for a proposed garage, storage and workshop building located in the rear garden at No 2 Muddleswood Cottages, off Brighton Road (the B2118).

RELEVANT PLANNING HISTORY

DM/25/0066. Prior notification - Larger extensions - Erection of a single storey rear extension extending beyond the rear wall of the original house by 4m, to a maximum height of 3m and the height to the eaves to 3m. Prior approval is not required March 2025.

NT/001/80. 2 no residential kennels inside existing house. Permitted development March 1981.

NT/008/79. Vehicular access. Approved January 1980.

NT/007/79. Change of use from barren scrub land to garden area. Approved January 1980.

NT/004/79. Change of use to kennels and erection of 3 no sheds for housing dogs and erection of fencing to rear. Refused July 1979.

SITE AND SURROUNDINGS

No 2 Muddleswood Cottage is located to the south of Albourne village in open countryside inside Mid Sussex District boundary, north of the South Downs National park boundary and within Newtimber Parish boundary.

The mid terraced cottage is located in a small group of dwellings close to the road junction with the B2117. The A23 lies to the rear of the property.

There is a long rear garden that serves the property. Currently there is an existing area of hardstanding, on which nine cars and a recovery lorry are parked. There is also a large shed and a portacabin on the lands, which has a vehicular access from an access road located to the south of No 1 Muddleswood Cottage.

The property is located in open countryside.

APPLICATION DETAILS

This application seeks a Lawful Development Certificate for the proposed development of a garage/office/workshop building in the rear garden for domestic use.

The submitted plans show the new building to be sited across the width of the garden, in a north/south orientation. The proposed building measures 13.7m wide by 6.7m deep, with a flat roof measuring 2m in height. The submitted plans show the walls of the building to be clad in black cladding, with black framed doors, windows and glazed bifold doors. The plans are annotated to show the roof to be of a warm roof construction with solar panels.

The proposed floor plans show that approx. a third of the building will be for a garage and the remaining two thirds as a home office/workshop space.

The application has been supported by a Statement, which can be viewed on the planning file. This contains the following points:

- The current drive entrance is to the side of the property. There is no garage.
- The proposed building is designed to create a garage and storage space with workshop area for the owner, with natural light for their hobbies.
- It has been designed to fit in with the surroundings being a single storey.
- The size, area and height come within the size and heights restrictions.

Since the Planning Officers site visit the applicant's agent has confirmed in writing that the existing porta cabin stationed on the land and the vehicles that are currently on the site will all be removed/. It has also been clarified that the garage is for the applicant's car and the workshop area will be used for his home hobbies and a small gym.

LEGAL FRAMEWORK

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 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which relates to buildings incidental to the enjoyment of a dwelling house, as detailed below:

Class E - buildings etc incidental to the enjoyment of a dwellinghouse

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes 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.; or
- (k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

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

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

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 site is not on designated land. The planning history of the site has been checked and the permitted development rights are understood to be intact.

The proposed development is deemed to comply with the applicable permitted development criteria as set out within Class E of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

It is understood that the use of the building is for ancillary domestic purposes for the occupants of No 2 Muddleswood Cottages.

CONCLUSION

On this basis it is recommended that the Lawful Development Certificate is issued.

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Decision: Permission

Case Officer: Anna Tidey