

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/2684	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Demolish existing garden room and replace with new for ancillary use to the main dwelling.		
Site:	Bentley Cottage, Wickham Hill, Hurstpierpoint, Hassocks, West Sussex, BN6 9NP, ,		
Validation Date	20 Oct 2025	Overall Expiry Date:	14 Nov 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	21 Nov 2025
Target Date:	15 Dec 2025	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	21 Nov 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/2684

**Bentley Cottage, Wickham Hill, Hurstpierpoint, Hassocks, West Sussex, BN6 9NP,
Demolish existing garden room and replace with new for ancillary use to the main dwelling.
Acton / Hillier**

REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

The committee recommends that MSDC grant permission.

INTRODUCTION

This is an application for a lawful development certificate to replace an existing outbuilding.

RELEVANT PLANNING HISTORY

A planning application for a rear extension, alterations to the southern elevation, decking to the rear elevation with steps down to garden level and replacing window to existing kitchen with french doors and glass handrail is being considered under application DM/25/2691.

SITE AND SURROUNDINGS

Bentley Cottage is a detached two storey dwelling. It is constructed of red brick, with a plain tile roof and timber sash windows. The property is characterised by tile hanging to the first-floor elevation and a gabled front projection. The property benefits from an attached garage and off-road parking to the front of the property. The property has several outbuildings to the side and rear of the property.

The property is located within the built-up area boundary of Hurstpierpoint. Neighbouring properties are located to the east and west. Highway is located to the south, whilst open countryside is located to the north.

APPLICATION DETAILS

The proposed outbuilding would be sited to the rear of the property. This would be 'L' shaped and would have a maximum width of some 10.9 metres and a maximum depth of some 7.3 metres. This would have a hipped roof with a height to the ridge of some 3.7 metres and a height to the eaves of some 2.3 metres. It is also proposed to install no. 2 sets of doors on the front (northern) elevation and no.2 sets of doors on the side (western) elevation. In addition, it is proposed to install no. 3 windows on the rear (southern) elevation and no.1 window on the side (eastern) elevation.

The proposed outbuilding would be finished in shiplap timber cladding and Onduvilla roof tiles. The outbuilding is proposed to be used as a home office and garden room.

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, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as detailed below:

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.

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 not located on article 2 (3) land.

The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). The building would not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse. The building would not have more than a single storey and would not exceed 4 metres in height. The height of the eaves would not exceed 2.5 metres.

The building would not be situated within the curtilage of a listed building. The building would not include the construction of a verandah, balcony or raised platform. The building does not relate to a microwave antenna. The building would be used for a purpose incidental to the enjoyment of the dwellinghouse.

CONCLUSION

In conclusion, the proposed development is deemed to comply with the applicable permitted development criteria as set out within Class E, 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