

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/1860	Case Officer:	Anna Tidey
Application Type:	Householder Application		
Proposal:	Proposed single storey garden room.		
Site:	Mount Farm, Shaves Wood Lane, Albourne, Hassocks, West Sussex, BN6 9DX, ,		
Validation Date	21 Jul 2025	Overall Expiry Date:	1 Sep 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	23 Sep 2025
Target Date:	15 Sep 2025	Recommending Officer Signature:	Anna Tidey

Date Legal Agreement Completed: (if applicable)		No of Representations:	2
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Signed and Agreed By:	Steven King	Date:	23 Sep 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/1860

**Mount Farm, Shaves Wood Lane, Albourne, Hassocks, West Sussex, BN6 9DX,
Proposed single storey garden room.
Mr Howard Lock**

SUMMARY OF REPRESENTATIONS

One representation received which raises no objections.

SUMMARY OF CONSULTEES

Tree Officer: In light of the new information provided, regarding the ground screw method to support the base of the garden room, I have no objection and do not require a full Tree Report.
The damage that these ground screws will cause to the root system is minimal and within the tolerances accepted in BS5837 - Tree in relation to design, demolition, and construction - Recommendations.

Southern Water: No objections.

PARISH COUNCIL OBSERVATIONS

Albourne Parish Council: No objections to this application, in support of the proposal.

INTRODUCTION

This application seeks planning permission to construct a single storey garden room in the garden of a domestic property located at Mount Farm, off Shaves Wood Lane in Albourne parish.

The application was amended after submission to show an alteration to the rear height of the building and has been supported with additional information during the course of the determination.

RELEVANT PLANNING HISTORY

10/00521/AGRET. Agricultural Prior Notification. - agricultural steel framed building. Approved April 2010.

08/02611/FUL. Replacement dwelling and associated physical landscaping around the southern part of the new dwelling. Approved October 2008.

SITE AND SURROUNDINGS

Mount Farm is a detached house located off a private access drive, with associated agricultural land, on the eastern side of Shaves Wood Lane. The property is located in the open countryside.

The house is located on a raised site and benefits from a large garden plot with numerous mature and younger trees of assorted species and ages. The field to the south and west of the house is divided from the garden area by a traditional open post and rail fence.

A Public Footpath (route no. ALB/22AI/5) runs in an east/west direction to the north of the garden at the property, along the access road that leads to Albourne Place and Albourne Estate Winery, which are sited over 100m to the east.

APPLICATION DETAILS

This application seeks planning permission for the construction of a detached garden room building for ancillary domestic use by the occupants.

The garden room building is to be located approx. 20m to the south west of the house and within the line of the perimeter post and rail fencing.

The submitted plans show the building to measure 3.7m deep by 4.8m wide, with a shallow mono pitched roof with a min eaves height of 2.64m and a max height of 2.7m. The building plans indicate that the walls will be vertically clad in grey TGV and the roof finished in black epdm. The south west facing front elevation is glazed with full height windows and a pair of central doors. The elevations show two side facing windows and a high level window at the rear.

During the course of determining the application the siting of the building within an area planted with a variety of trees has been discussed with the applicant, the nearest being a Lime tree, approx. 8m away from the site. It has been confirmed that the building will be attached to the ground with screw piles in preference to on a concrete pad.

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, the Albourne Neighbourhood Plan and Site Allocations DPD.

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:

DP12 Protection and Enhancement of Countryside
DP26 Character and design
DP37 Trees, Woodland and Hedgerows
DP38 Biodiversity

Site Allocations Development Plan Document

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no policies deemed relevant to this application.

Neighbourhood Plan

Albourne Neighbourhood Plan - made on 22 September 2016.

Policy Countryside -ALC1: Conserving and enhancing character

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:

DPS2 Sustainable Design and Construction
DPN4 Trees, Woodland and Hedgerows
DPN1 Biodiversity, Geodiversity and Nature Recovery
DPC1 Protection and Enhancement of the Countryside
DPB1 Character and Design

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)

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows:

- The Principle of Development
- Design
- Impact on residential amenities
- Impact upon trees
- BNG

The Principle of Development

The site lies in an area of countryside, outside any built up area, and within an established residential curtilage.

There are public views of the site, but it is located within the curtilage of an established residential property. The proposed siting for the building has been made with consideration of views from the nearest public right of way. The lower level of the site, and intervening trees and boundary hedgerows will limit public views of the new building, which will be finished in suitable muted colours.

The primary objective of the MSDC District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development that does not need to be there. Policy DP12 is relevant. The policy seeks to protect the countryside from development. Rural development will be permitted where it maintains, or where possible enhances, the quality of the rural and landscape character of the District, and/or is necessary for the purposes of agriculture, or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

The site of the proposed garden room is within an established garden at Mount Farm. Policy Countryside -ALC1: Conserving and enhancing character in the Albourne Neighbourhood Plan. Neighbourhood Plan reflects District Plan Policy 12, and states:

'Development, including formal sports and recreation areas will be supported in the countryside, defined as the areas outside the Built up Area Boundary shown on the policy map where the following criteria are met:

- 1. It is necessary for the purposes of agriculture, or some other use which has to be located in the countryside;*
- 2. It maintains, or where possible enhances, the quality of the rural and landscape character of the Parish area;*
- 3. It is supported by a specific policy reference elsewhere in this Plan.*
- 4. It is necessary for essential infrastructure and it can be demonstrated that there are no alternative sites suitable and available, and that the benefit outweighs any harm or loss.'*

The proposed plans show the garden room building to be set at an angle to the perimeter fencing and within an area of planted ornamental, fruit and deciduous trees.

The proposed garden room is for private use only, incidental to the use of the house. Given the overall scale and siting of the proposed development within an established residential curtilage, the proposed private use for the occupants and the siting of the development within a garden it is considered that the development will not create a harmful impact upon the rural setting of the property or the wider landscape.

The proposal will therefore accord with District Plan Policy DP12 and Policy ALC1 of the Albourne Neighbourhood Plan.

Design

Policy DP26 of the District Plan seeks to promote well located and designed development, to protect valued characteristics of the built environment for their historical and visual qualities and support sustainable communities and create accessible environments. Policy DP26 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 DP29);*
- * 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.'*

The proposed garden room is of a standard design with a low profile roof, modest scale and limited footprint. Such a development for ancillary residential use is not unusual and the garden room can be accommodated without impacting upon the amenity space available to the residents in such a large garden.

The overall design of the proposal is considered acceptable. The location of the garden room will not harmfully affect the overall rural character and appearance of the site or public views in the area.

Consequently the appearance of the proposed works are considered to accord with Policy DP26, Policy ALC1 of the Albourne Neighbourhood Plan and with the relevant Design Guide principles.

Impact on residential amenities

District Plan Policy DP26 requires 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.'*

In addition Principle DG45 in the Design Guide refers to the need to consider privacy of existing and future residents and it is noted that privacy may be affected by the relationship of buildings to each other.

The nearest neighbouring properties are Nos 1 and 2 Albourne Place Cottages, some min of 110m to the west of the site and Albourne Place and Albourne Winery a minimum of 100 m to the east.

The western garden boundary with the adjacent field is open with traditional post and rail fencing. The northern garden boundary which adjoins the access track to Albourne Place is screened by a thick hedge.

Given the relationship and spacing of the adjacent residential properties it is considered that the proposal would not cause significant harm to the amenities of existing nearby residents and therefore the proposal accords with the requirements of Policy DP26 of the District Plan, and the relevant principles of the Design Guide.

Impact upon trees

The application has not been supported by the submission of an Arboricultural report, but details of the nearest trees have been submitted.

The Council's Tree Officer has been consulted on the proposal, given the proximity of the proposed garden room base to a Lime tree. Given the submitted information the Tree Officer has no objection to the proposal and does not require the submission of a full Tree Report to support the application. The intended ground screws for the base will cause minimal damage to the tree root systems and are within the tolerances accepted in BS5837 - Tree is relation to design, demolition, and construction - Recommendations.

It is considered that provided the works are carried out to accord with the submitted construction details the trees growing on and adjacent to the site will be appropriately protected and the proposed development works will accord with the aims of District Plan Policy DP37.

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 proposed garden room will be appropriately located within the established curtilage of the property and will not adversely affect the character and appearance of the site and its rural setting.

The neighbouring residents' amenities will not be adversely affected and the proposal accords with the aims of District Plan Policy DP26 and the relevant principles of the Design Guide.

Appropriate consideration has been given to the impact of the proposed development works upon trees growing on the site and the detailed construction method will accord with the aims of District Plan Policy DP37.

Consequently this application is recommended for approval.

Decision: Permission

Case Officer: Anna Tidey