

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0952	Case Officer:	Catherine Cardin
Application Type:	Lawful Development Certificate -Proposed		
Proposal:	Proposed outbuilding, for use as a home office		
Site:	7 Kingsland Cottages, Reeds Lane, Sayers Common, Hassocks, West Sussex, BN6 9JG, ,		
Validation Date	15 Apr 2026	Overall Expiry Date:	8 May 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	2 Jun 2026
Target Date:	10 Jun 2026	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>Steven King</i>	Date:	3 Jun 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0952

**7 Kingsland Cottages, Reeds Lane, Sayers Common, Hassocks, West Sussex, BN6 9JG,
Proposed outbuilding, for use as a home office
Mr Andrew Russell**

REPRESENTATIONS

None received.

PARISH COUNCIL OBSERVATIONS

The committee has no objection in principle to the proposed application. However, the committee is concerned about the potential to exacerbate existing drainage issues. The Council would also request clarification on the arrangements for surface water run-off. It is also requested that this application be considered in conjunction with DM/26/0715 to ensure cumulative impacts are fully assessed.

INTRODUCTION

This is an application for a Lawful Development Certificate to construct an outbuilding, for use as a home office.

RECENT PLANNING HISTORY

DM/24/1607- Proposed two storey side extension, porch, single storey rear extension, outbuilding at rear to create home office and home gym ancillary to the main dwelling. Updated block plans received 12.08.2024 showing neighbour's right of access. Withdrawn.

DM/26/0715- Proposed two-storey side extension and porch canopy to front. Permission.

SITE AND SURROUNDINGS

The application site consists of an end of terrace two-storey dwelling which is characterised by bare brown brickwork walls, grey slate roof tiles and white fenestration. The existing dwelling has some two off-street parking spaces to the front of the dwelling.

The site is located within the Sayers Common built up area boundary. Residential properties are located to the south and west of the site, a recreation ground to the east of the site and an education facility to the north.

APPLICATION DETAILS

The proposal seeks to construct a single storey outbuilding located to the rear of the property. The development would measure approximately 5.8 metres in width and 3 metres in depth. This would incorporate a flat roof with a maximum height of approximately 2.4 metres. The outbuilding would feature sliding doors on the front (eastern) elevation and a high-level window on the side (southern) elevation. It is proposed to use the outbuilding as a home office.

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:

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

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.

Other comments

The Parish Council has raised concerns regarding potential drainage issues, surface water run-off, and the cumulative impact of the proposal when considered alongside application DM/26/0715. However, this application is for a Certificate of Lawfulness. The assessment of such applications is limited to determining whether the development is lawful, based on the relevant planning legislation and permitted development rights. Matters such as drainage, surface water run-off, and potential cumulative impacts are not material to the consideration of a Certificate of Lawfulness. As such, these concerns cannot be taken into account in the determination of this application.

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