

Delegated Decision

Sign off Sheet

Ref. No:	DM/26/0251	Case Officer:	Andrew Horrell
Application Type:	Householder Application		
Proposal:	Erection of a detached single-storey outbuilding for use as a home office and gym, incidental to the main dwelling.		
Site:	34 Newlands, Balcombe, Haywards Heath, West Sussex, RH17 6JA, , ,		
Validation Date	2 Feb 2026	Overall Expiry Date:	5 Mar 2026
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	25 Mar 2026
Target Date:	30 Mar 2026	Recommending Officer Signature:	Andrew Horrell

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	25 Mar 2026
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/26/0251

**34 Newlands, Balcombe, Haywards Heath, West Sussex, RH17 6JA, ,
Erection of a detached single-storey outbuilding for use as a home office and gym, incidental to the main dwelling.
Mr Chris Myhill**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

Southern Water: No objections

MSDC Tree Officer: Provided that all of the measures stated in the AMS section of the AIA are adhered to, then the proposal will not be of detriment to the health of the tree. I have no objection.

Please do condition adherence to the AIA including the AMS and TPP therein.

PARISH COUNCIL OBSERVATIONS

No objection

INTRODUCTION

The application seeks planning permission for the erection of a detached single-storey outbuilding for use as a home office and gym, incidental to the main dwelling.

RELEVANT PLANNING HISTORY

05/00878/FUL - To replace an existing pre-fabricated single garage with a pre-fabricated double garage and to widen the existing easement giving access to the new garage.

SITE AND SURROUNDINGS

34 Newlands is within a mini square serving 29-40 Newlands. The dwelling is a two-storey mid terraced plain tiled dwelling. It is characterised by face brickwork, upvc doors and windows. Outbuildings characterise the rear gardens.

To the north of the site is the rear garden with hedging to Jobes beyond, to the east of the site is the adjoining No.33, to the west of the site is the adjoining No.35 and to the south is the front garden with square and parking area beyond.

The application site is located within the built-up area boundary of Balcombe and is within the High Weald AONB.

APPLICATION DETAILS

The proposed outbuilding measures 4.131m in depth, 6.3m in width with a height of 2.986m. This will serve a home office and gym.

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, Site Allocation Development Plan Document (DPD) and Balcombe Neighbourhood Plan.

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:

DP16 - High Weald Area of Outstanding Natural Beauty

DP26 - Character and Design

DP37 - Trees, Woodland and Hedgerows

Site Allocations DPD

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

No relevant policies

Neighbourhood Plan

The Balcombe Neighbourhood Plan was made on 22nd September 2016.

Relevant policies:

Policy 3 - Design

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

DPB1 - Character and Design

DPC4 - High Weald Area of Outstanding Natural Beauty

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

Impact on character and appearance of the area

Policy DP26 of the Mid Sussex District Plan relates to design and character and 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:

- o is of high quality design and layout and includes appropriate landscaping and greenspace;*
- o 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;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area; o protects valued townscapes and the separate identity and character of towns and villages;*
- o 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 DP27);*
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible; o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- o positively addresses sustainability considerations in the layout and the building design;*
- o 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; o optimises the potential of the site to accommodate development.'*

Policy 3 of Balcombe Neighbourhood Plan relates to design and states:

'The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB and the significance and character or appearance of the Balcombe Conservation Area, where a building will command a view.'

The proposed building would be of a design, form and scale which is in proportion and appropriate to the existing appearance and character of the dwelling. The building would be located to the rear of the dwelling and therefore would not be visible from the highway. The proposed building would be used for ancillary purposes in relation to the enjoyment of the existing dwellinghouse and would be located within the existing rear garden of the property with no separate access point.

Similar outbuildings characterise the rear gardens of neighbouring properties.

Therefore, the proposal is therefore seen to comply with policy DP26 of the Mid Sussex District Plan, policy 3 of the Balcombe Neighbourhood Plan and the relevant paragraphs of the NPPF.

Impact on the High Weald AONB

The legal framework for AONBs, (also known as National Landscapes) in England and Wales is provided by the Countryside and Rights of Way Act (CRoW) 2000 which at Section 82 reaffirms the

primary purpose of AONBs: to conserve and enhance natural beauty. Section 84 of the CRoW requires Local Planning Authorities to *'take all such action as appears to them expedient for accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB'*. The Levelling-up and Regeneration Act (2023) amended section 85 of the CRoW Act, to create a new duty on relevant authorities to *'seek to further the purpose of conserving and enhancing the natural beauty of the area' when discharging their functions in AONBs*. A similar ethos is found within The High Weald Area of Outstanding Natural Beauty Management Plan which is a material consideration in the determination of planning applications in the AONB.

Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads 66. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.'

Given the design, form and scale of the proposal in relation to the existing site and materials within the locality, it is considered that the proposal would not have an impact on the AONB and would conserve it.

Therefore, the proposal is deemed to comply with policy DP16 of the Mid Sussex District Plan and the relevant paragraphs of the NPPF.

Impact on Neighbouring Amenities

In terms of impact on neighbouring amenities, Policy DP26 of the District Plan states proposals should *'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'*.

Due to the domestic nature of the proposed development, it is considered that there would not be a significantly harmful impact in terms of noise, air and light pollution.

Whilst there may be a degree of overlooking towards neighbouring properties, this would be no more harmful than expected within the built up area as a single storey outbuilding.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Trees

Policy DP37 of the Mid Sussex District Plan states:

'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.'

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

o incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and
o prevents damage to root systems and takes account of expected future growth; and
o where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
o has appropriate protection measures throughout the development process; and
o takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
o does not sever ecological corridors created by these assets.

Proposals for works to trees will be considered taking into account:

o the condition and health of the trees; and
o the contribution of the trees to the character and visual amenity of the local area; and
o the amenity and nature conservation value of the trees; and
o the extent and impact of the works; and
o any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary'.

The Mid Sussex Tree Officer has been consulted on the application and stated that no objection is given to the proposal subject to condition. The planning officer agrees with this assessment. The proposal is therefore deemed to comply with DP37 of the Mid Sussex District Plan.

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 proposal is considered to be appropriate in terms of design, size and scale to the dwellinghouse, would not impact on the character of the countryside or the AONB landscape, and would not cause harm to the amenities of neighbouring properties.

Therefore, the proposal complies with Mid Sussex District Plan policies DP16, DP26 and DP37, policy 3 of the Balcombe Neighbourhood Plan and the relevant provisions of the NPPF. The application therefore accords with the Development Plan and is considered acceptable.

Decision: Permission

Case Officer: Andrew Horrell