Development Management – Delegated Officer Report

Application Number: AWDM/1135/25 Recommendation – Grant LDC

Site: - 44 The Broadway, Lancing

Proposal: Application for Certificate of Lawfulness for proposed garden room

Site visit: 29th September 2025

Proposal, Site and Surroundings

The application site is a semi detached bungalow within a street on mainly two storey dwellinghouses adjacent to the entrance to the mobile home site.

A Lawful Development Certificate is sought for a garden room to the rear of the residential property. The building is to be used incidental to the main dwelling for storage of garden equipment and tools and use by the occupiers of the main household.
.

Planning Assessment

Principle

The proposal will be viewed against the criteria of permitted development, as laid out within The Town and Country Planning (General Permitted Development) (England) Order 2015

Consideration

Schedule 2, Part 1, Development within the curtilage of a dwellinghouse Permitted Development

Class E – buildings etc. INCIDENTAL to the enjoyment of a dwellinghouse.

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 3 of the Schedule (changes of use);

Analysis: The dwellinghouse has not been created through change of use by virtue of Part 3.

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);

Analysis: The outbuilding and extensions do not cover more than 50% of the curtilage.

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;

Analysis: The development would not 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.

Analysis: Single storey outbuilding

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;

Analysis: The outbuilding is 2.5 metres tall due to location within 2 metres of the boundary

g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

Analysis: The site does not contain a listed building

h) it would include the construction or provision of a verandah, balcony or raised platform;

Analysis: The proposal does not include these

i) it relates to a dwelling or a microwave antenna; or

Analysis: It does not relate to a dwelling or a microwave antenna

j) the capacity of the container would exceed 3,500 litres.

Analysis: N/A

(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: The dwellinghouse has not been created by virtue of Part 20.

E2 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 20metres from any wall of the dwellinghouse would exceed 10 square metres.

Analysis: The site is not within any of the above

E3 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.

Analysis: The site is not within a conservation area

Recommendation

Issue a Certificate of Lawfulness for Proposed Development, the submission of a planning application for the works will not be required.

Reasons for Recommendation

The proposal constitutes 'development' as defined by Section 55 of the Town and Country Planning Act 1990 but is permitted by Class E of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer: Hannah Barker Date: 30th September 2025

Authorised by: Peter Barnett Date: 30 September 2025