Expiry Date - 18/12/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1468/23 Recommendation – APPROVE

Site: 2 Haynes Road Worthing West Sussex BN14 7JY

Proposal: Application for Certificate of Lawfulness for proposed single storey detached garage

Date of site visit: 27/11/2023

Neighbours consulted: N

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north of Haynes Road. The site has an existing detached garage. With its location at the end of the street there is a large plot which the dwelling is situated in. The property is a chalet style bungalow which has undergone a number of alterations including an extension on the western elevation.

Proposal

A Lawful Development Certificate for an existing development is sought for a single storey detached garage to the north of the dwelling. This is to be accessed via the existing entrance to the site on the A2031.

Relevant Planning History: N/A

Consultations: N/A

Representations: N/A

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 (as amended).

Consideration

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

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

Permitted Development

E. The provision within the curtilage of a 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 building ot 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 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);
Analysis: Not applicable
(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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 total area covered does not exceed 50% of the total area of the curtilage.
(c) any part of the building, enclosure and container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
Analysis: The extension would not be situated forward of the principle elevation.
(d) the building would have more than a single storey;
Analysis: Garage is single storey in nature.
(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: None of the above apply.
(f) the height of the building would exceed 2.5m metres;
Analysis: The maximum height is below that permitted.
(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
Analysis: The building is not listed.
(h) it would include the construction or provision of a verandah, balcony or raised platform;
Analysis: N/A
(i) it relates to a dwelling or a microwave antenna;
Analysis: N/A
(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: N/A

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.

Conclusion

The application has been considered under Class E of Schedule 1 Part 2 for the detached garage. It is considered that the development would be compliant with the aforementioned Class.

Recommendation

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

Reasons for Recommendation

The Council is satisfied that the extensions and alterations as described would have constituted ‘permitted development’ under the provisions of Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order (as amended) at the time the works were carried out.

Case Officer: Finlay Gardner Date: 13/12/2023

Authorised by: Jo Morin Date: 18.12.2023

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