Expiry Date - 23/07/2025

Development Control – Delegated Officer Report

Application Number: AWDM/0677/25 Recommendation – APPROVE

Site: 60 Nutley Crescent Worthing West Sussex BN12 4LB

Proposal: Application for Certificate of Lawfulness for proposed single storey rear extension

Site visit: N/A

Proposal, Site and Surroundings

The application relates to a mid C20 semi-detached brick/render house located on the west side of Nutley Crescent within an established residential suburb of the town. The dwelling is set back the road behind a soft-planted garden. A shared drive on the south side of the dwelling leads to a garage set back into the rear garden. The garage is paired with a garage belonging to the south side neighbour (No.62). The dwelling has previously been enlarged by a rear conservatory.

It is proposed to remove the conservatory and erect a single-storey rear extension. The extension will be 3m deep and extend the full width of the rear elevation. It will have a lean-to roof 3.4m high where it joins the rear elevation of the main house, sloping down to eaves 2.35m high. Materials will match the main dwelling. The existing garage will be retained. Confirmation is sought that an application for planning permission is not required for the proposed development.

The attached dwelling (No.58) has recently been enlarged by a 5.32m deep single-storey flat-roofed brick-built rear extension through the GDPE route (AWDM/0884/22).

The property is not listed, locally listed or within a conservation area. There are no TPO trees on the site.

Planning Assessment

The proposed development will be assessed in relation to the criteria for 'permitted development' set out in Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 2015 (As Amended).

Consideration

<u>Class A – Enlargement, improvement or other alteration of a dwellinghouse</u>

A.1 Development is not permitted by Class A 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 a change of use by virtue of Part 3.

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 ground covered by the extension will not exceed 50% of the total area of curtilage.

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Analysis: The height of the extension will not exceed the height of the highest part of the existing dwelling.

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Analysis: The height of the eaves of the extension will not exceed the height of the eaves of the existing dwelling.

e) the enlarged part of the dwellinghouse would extend beyond a wall which:
i) forms the principal elevation of the original dwellinghouse; or
ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Analysis: The extension does not extend forward of the principal elevation or a side elevation fronting a highway.

f) subject to paragraph g) the enlarged part of the dwellinghouse would have a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: The property is a semi-detached house and the extension will not exceed beyond the rear elevation of the original dwelling by more than 3m.

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-

i) extend beyond the rear wall of the original dwellinghouse by more than 8 m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
ii) exceed 4m in height;

Analysis: The dwelling is not on article 2(3) land or an SSSI.

ah) the enlarged part of the dwellinghouse would have more than a single storey and-
i) extend beyond the rear wall of the original dwellinghouse by more than 3m, or
ii) be within 7 m of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

Analysis: The proposed extension will not be more than a single storey, therefore i) and ii) do not need to be considered.

i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

Analysis: The extension will be sited within 2m of the curtilage boundary but the height of the eaves of the extension will not exceed 3m.

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
i) exceed 4m in height;
ii) have more than a single storey; or
iii) have a width greater than half the width of the original dwellinghouse; or
(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j).

Analysis: The extension will not extend beyond a side elevation of the dwelling.

k) it would consist of or include-
i) the construction or provision of a verandah, balcony or raised platform,
ii) the installation, alteration or replacement of a microwave antenna,
iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
iv) an alteration to any part of the roof of the dwellinghouse.

Analysis: None of the above apply.

(l) 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.

A.2 In the case of a dwellinghouse on article 2(3) land:-

a) it would consist of cladding of any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, plastic or tiles.
b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwelling house.
d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

Analysis: The dwelling is not on article 2(3) land.

A.3 Development is permitted subject to:-

a) materials must be of a similar appearance to those used in the construction of the exterior of the existing dwelling;
b) any upper-floor windows located in a wall or roof slope forming a side elevation must be:-
   i) obscured-glazed, and
   ii) non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.
c) Where the enlarged part of the dwelling house has more than one storey or forms an upper storey on an existing enlargement of the original dwelling house the roof pitch of the enlarged part must so far as practicable be the same as the roof pitch of the original dwellinghouse.

Analysis: The submitted application form confirms that materials will match existing. Parts b) and c) do not apply.

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 A of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015.

Case Officer: Jo Morin Date: 07.07.2025

Authorised by: Louise Prew Date: 07/07/2025