

Development Management – Delegated Officer Report

Application Number: AWDM/0757/26

Recommendation: APPROVE

Site: 22 Warwick Gardens Worthing West Sussex BN11 1PF

Proposal: Application for Certificate of Lawfulness for the proposed installation of rooftop photovoltaic panels.

Site visit: N

Proposal, Site and Surroundings

The site is located on the eastern side of Warwick Gardens. It contains a two-storey semi-detached dwelling.

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

Schedule 2, Part 14 - Renewable Energy

Class A – installation or alteration etc of solar equipment on domestic premises

Permitted Development

- A. The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on –
- (a) a dwellinghouse or a block of flats; or
 - (b) a building situated within the curtilage of a dwellinghouse or a block of flats.

Analysis: The panels are on a dwellinghouse

A.1 Development is not permitted by Class A if-

- (a) the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or in the case of a pitched roof, the roof

slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;

Analysis: A section has been provided which shows the roof panels would not project more than 0.2m from the roofslope. The main part of the panel would project 12.5cm from the roofslope.

(b) in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);

Analysis: The panels would not be higher than the highest part of the existing roof.

(ba) in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);

Analysis: N/A

(c) in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;

Analysis: N/A, the site is within a conservation area but the panels are installed on roof slopes only, not a wall

(d) the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

Analysis: N/A

(e) the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building.

Analysis: N/A

Conditions

A.2 Development is permitted by Class A subject to the following conditions—

(a) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

Analysis: The panels are not sited on the front roofslope fronting the highway. Due to the sawtooth nature of the roof they are located on two east facing roofslopes and on west facing roof slope located behind the front of the building. The effect on the external appearance is minimised.

- (c) solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

Analysis: As outlined above, the panels are not located on the main front facing roofslope. There are some views from the north of the west facing solar panels. The applicant has removed two of the solar panels from this roofslope following a request from the LPA as they were considered to be the most visible in views from within the conservation area. It is considered the siting has minimised its effect on the amenity of the area.

(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

Analysis: NA

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if "Class A" substitutes the reference to "Class J" in paragraph J.4(4); and

(c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

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

Case Officer: Louise Prew

Date: 07/09/2026

Authorised by: Jo Morin

Date: 08.09.2026