Development Management – Delegated Officer Report

Application Number: AWDM/0756/25 **Recommendation – APPROVE**

Site: 123 Southfield Road Worthing West Sussex BN14 9EG

Proposal: Application for a Lawful Development Certificate for an Existing two storey rear extension (built pre 1984)

Site visit: N

Proposal, Site and Surroundings

Confirmation is sought that the existing two-storey rear extension has been in place for more than four years and is therefore immune form enforcement action.

The site is located on the northern side of Southfield Road and contains a mid-terrace two-storey property in use as a dwellinghouse.

Relevant Planning History:

AWDM/0755/25: Application for Certificate of Lawfulness for proposed loft conversion with rear dormer and front roof lights; and single storey outbuilding in rear garden. Permitted 17/07/2025

Planning Assessment

The relevant consideration is a matter of fact and degree whether the evidence submitted in support of the application demonstrates on the balance of probability that the rear extension has existed for 4 or more years and is therefore exempt from enforcement action.

It is noted that enforcement time periods have been updated but only for developments commenced after the time limit change occurred. The period of four years continues to apply if the operations were substantially completed by 24 April 2024

The following evidence has been provided by the applicant in support of the application:

- An aerial image from Google Maps in 2001
- Existing elevations
- Existing floor plans

There is no planning or building control history. Aerial imagery has been provided from 2001 the lack of shadowing as per the neighbouring extensions indicates the extension is two storeys. Google earth historic imagery confirms this image's accuracy.

Recommendation

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

On the basis of the available evidence the Local Planning Authority is satisfied that on the balance of probability extension as illustrated on the submitted plans has existed for more than 4 years and as such has achieved immunity from enforcement and is lawful in planning terms.

Case Officer: Louise Prew Date: 23/07/2025

Authorised by: Jo Morin Date: 23.07.2025