Expiry Date - 07/11/2025
Extension of Time -

Development Management – Delegated Officer Report

Application Number: AWDM/0809/25 **Recommendation: – APPROVE**

Site: **Allotments West Tarring Princess Avenue Worthing West Sussex**

Proposal: **Application For a Lawful Development Certificate for proposed replacement of an existing timber shed with a larger timber building for community use by the tenants at the West Tarring allotments.**

Date of Site Visit: N/A

Neighbours Checked: N/A

Additional Neighbours Notified: N/A

Site and Surroundings

The application relates to West Tarring Allotments (6.2 ha) owned by the Council and managed on the Council's behalf by Worthing Allotment Management (WAM). There is a gated vehicle access to the allotments from Ringmer Road to the north. This serves a small car park (located to the south side of No.18 Ringmer Road) and internal access roads extending north-south and east-west. There is gated pedestrian access to the allotments from Bolsover Road to the west and Princess Avenue to the east.

Proposal

The application by the Council's Parks & Foreshore Service Manager seeks confirmation that an application for planning permission is not required to replace an existing timber building on the site with a new, larger timber building to be used by the tenants of the allotments for meetings and social events such as the annual horticultural show.

The replacement building would be located at the southern end of Plot 90, a communal plot sited towards the south and west of the allotments (approximately 50m east of the site boundary with Quicksilver Street and 20m north of the boundary with the main Brighton-Portsmouth railway line).

The proposed building would have a floor area of 5.4m by 6.6m with a shallow dual pitched roof 3.9m high. One half of the building would consist of a kitchen/meeting room and the other half an open-fronted covered meeting area. Drawings show a possible future wood stove with flue.

Relevant Planning History:

None. There are no planning records relating to the existing timber building to be replaced.

Consultations

WSCC Highways: No comments received.

Environmental Protection, Environmental Health & Licensing: No comments received.

Tree and Landscape Officer: No comments received.

Representations: N/A

Relevant Planning Legislation:

The Town & Country Planning (General Permitted Development) Order 2015 (as amended)

Planning Assessment:

The determination of an application for a Certificate of Lawfulness for a Proposed Use or Development is restricted to consideration of the lawfulness of the proposal. Effectively, the issue for consideration is whether the proposal needs planning permission by means of an application, or alternatively may be carried out without any such need because it is not development or is permitted development or is 'de Minimis' or is not a material change of use or is immune from enforcement and so has achieved lawfulness. The, otherwise, planning merits or de-merits of a proposal are outside of the scope of the determination.

Permitted development rights set out under Class A Part 12 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) allow for the construction and the maintenance, improvement or other alteration by or on behalf of a local authority or by or on behalf of an urban development corporation of –

(a) Any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;
(b) Lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structure or works required in connection with the operation of any public service administered by them.

Limitation A.2 states that the reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

The proposed building would be managed by WAM on behalf of the Council for the benefit of the tenant allotment holders.

The replacement building would have a cubic capacity of 115 cubic metres (i.e. not exceeding 200 cubic metres) and a maximum ridge height of 3.9 metres (i.e. not exceeding 4 metres).

Recommendation:

ISSUE CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

The proposal constitutes development as defined by section 55 of the Town and Country Planning Act 1990 (as amended) but is permitted by Class A, Part 12 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Informative

The Applicant is advised to remind Worthing Allotment Management (WAM) that no part of the flue of the possible future wood-burner shown on the submitted sketch WAM/2 shall exceed 4 metres in height otherwise an application for planning permission will be required for it.

Is recommendation contrary to letter(s) of representation? N/A

Case Officer:	Jo Morin	Date: 05.11.2025
Authorised by:	Peter Barnett	Date: 5 November 2025