

Development Management – Delegated Officer Report

Application Number: AWDM/0239/26

Recommendation – APPROVE

Site: 43 Aldsworth Avenue Worthing West Sussex BN12 4XG

Proposal: Application for Certificate of Lawfulness for Proposed outbuilding (pool room) in the rear garden

Site visit: N/A

Proposal, Site and Surroundings

The application relates to a detached, 2-storey house with integral garage dating from the mid-1950s occupying a good-sized plot on the west side of Aldsworth Avenue. The dwelling plot backs on to the designated Ferring-Goring Local Green Gap and the edge of the built-up area.

The dwelling has been enlarged by a modest-sized rear extension.

The proposal is for a detached (swimming) pool room in the rear garden. The submitted application form confirms the pool room will be incidental to the use of the dwelling.

Planning Assessment

Principle

The proposal will be assessed against the criteria for 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

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

E.1 Development is not permitted by Class E 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 existing dwellinghouse has not been created through change of use by virtue of Part 3.

b) the total area of ground covered by buildings, enclosures and containers within the curtilage (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 of ground covered by the proposed outbuilding other extensions, enclosures and containers within the curtilage other than the original dwellinghouse does not exceed 50% of the curtilage.

c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

Analysis: No part of the proposed outbuilding would not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.

d) the building would have more than a single storey.

Analysis: The proposed outbuilding is single-storey.

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: The height of the proposed outbuilding would not exceed 2.5m.

g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

Analysis: The proposed outbuilding is not within the curtilage of a listed building.

h) it would include the construction or provision of a verandah, balcony or raised platform;

Analysis: The proposed outbuilding does not include the construction or provision of a verandah, balcony or raised platform

i) it relates to a dwelling or a microwave antenna; or

Analysis: The proposed development does not relate to a dwelling or a microwave antenna

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: The dwellinghouse has not been created by virtue of Part 20.

E2 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 20metres from any wall of the dwellinghouse would exceed 10 square metres.

Analysis: None of the above apply.

E3 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.

Analysis: The site is not within a Conservation Area.

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 E of Part 1 Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

Case Officer: Jo Morin Date: 21.04.2026

Authorised by: Louise Prew Date: 21/04/2026