

Development Management - Delegated Officer Report

Application Number: AWDM/0345/26

Recommendation – APPROVE

Site: 10 Downlands Close, Sompting, BN15 0JL

Proposal: Application for Lawful Development Certificate for two proposed outbuildings.

Date of site visit: N/A Assessment has also been assisted using the Applicants plan; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

No. 10 Downlands Close is a semi-detached bungalow situated on the east side of the Close, near to the cul-de-sac area. The Close lies off the Upper Brighton Road (UBR), and can only be accessed from the south side of UBR when driving west.

The bungalow has an existing rear extension and several outbuildings, one of which being a garage sited close to the rear boundary no. 67 UBR.

The close comprises semi-detached bungalows, some have been extended to the rear and/or into the loft. Also, many have outbuildings within their rear gardens.

The property is not Listed Building, nor is it within a Conservation Area.

Proposal:

A Certificate of Lawfulness is sought for:-

- Removal of existing garage and outbuildings;
- Construction of two new outbuildings, both to be used as garages for the storage of classic cars
- One of the outbuildings is to be within rear garden close to rear boundary with no.'s 1 and 2 Berriedale Close. Outbuilding shown on the plans to be a double garage;
- The rear outbuilding is shown to measure 7.65m x 6.3m x 2.5m high;
- The second outbuilding is to be located to the north side of the bungalow, on the boundary with no.'s 65 & 67 Upper Brighton Road and is shown on the plans to be a single garage
- Measurement of the side outbuilding to be approx. 3m wide x 11.1m long x 2.3m high. It will have doors at the front and rear to allow vehicles to access the rear garage

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 as amended

Consideration

Schedule 2, Part 1, Development within the curtilage of a dwellinghouse.

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Permitted Development

E. The provision within the curtilage of the dwellinghouse of –

- a) **Any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or**
- b) **A container used for domestic heating purposes for the storage of oil or liquid petroleum gas.**

Development not permitted

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Analysis: The above does not apply

- (b) 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 detached outbuildings together with other buildings etc., do not exceed 50% of the total area of the curtilage etc.

- (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: Neither the side detached outbuilding or the rear detached outbuilding are situated on land forward of the principal elevation of the dwellinghouse.

- (d) the building would have more than a single storey;

Analysis: Both of the detached outbuildings are single storey only.

- (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: Both of the outbuildings are shown to be flat roofed, and both of them are within 2m of the boundary of the curtilage of the dwellinghouse. Both of the outbuildings will not exceed 2.5m in height.

- (f) The height of the eaves of the building would exceed 2.5 metres;

Analysis: The eaves will not exceed 2.5m in height on either of the outbuildings.

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

Analysis: The site 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: None of the above are shown as being constructed.

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

Analysis: The detached outbuildings are shown to be used as a garages.

- (k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Analysis: Does not apply.

E.2 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 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

Analysis: None of the above applies.

E.3 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 land is not on article 2(3) land.

Interpretation of Class E:-

E.4 For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Recommendation

Issue a Certificate of Lawfulness as the proposal is permitted development under Class E, within Schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reason for Recommendation

The proposal constitutes ‘development’ as defined by Section 55 of the Town and Country Planning Act 1990, and is permitted by Schedule 2, Part 1, Class E of Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Case Officer: Peter Barnett

Date: 11 June 2026

Authorised by: Louise Prew

Date: 11/06/2026