

Recommendation Report for Prior Notification for Householder Extension

REF NO: AB/13/26/PDH

LOCATION: 37 Torton Hill Road
Arundel
BN18 9HF

PROPOSAL: Notification under extended permitted development rights for a single storey rear extension measuring 5.5m from beyond the rear wall of the original dwelling house, with a maximum height of 3.2m and an eaves height of 2.46m.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks a single storey rear extension measuring 5.5m from beyond the rear wall of the original dwelling house, with a maximum height of 3.2m and an eaves height of 2.46m. Extended PD rights allows for the householders to extend their property under permitted development without applying for planning permission and notification of this has been subject to neighbour notification.
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REPRESENTATIONS

- 1 No. letter of no objection received:
- No objection to the extension.
 - Raise attention to maintaining mutual privacy, potential noise and light pollution.
 - Potential drainage issues regarding heavy clay deposits.
 - The existing chain link fence is understood that it does not represent the actual boundary.
 - Request to be informed of amendments to plans.
 - Neighbour and applicants are joint custodians of trees subject to TPO.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments from the adjoining neighbour noted and addressed in the conclusion. The details regarding drainage issues are not assessed under the Town and Country Planning (General Permitted Development) (England) Order 2015, at Schedule 2, Part 1, Class A and would instead fall to be determined by Building Regulations. Matters relating to shared boundaries is not a material planning consideration, and are a civil matter. Furthermore, no obtrusive external lighting is proposed as part of this scheme, nor is it assessed under Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The impact of development on protected trees cannot be assessed under Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), however the applicant is advised that the development should not result in any adverse impact to protected trees.

DEVELOPMENT PLAN POLICIES

CONCLUSIONS

The proposed extension is considered to fall under Part 1, Class A of The Town and Country Planning

(General Permitted Development) (England) Order 2015 (as amended). The proposal is for a larger home extension, under A.1 (g). The proposal is therefore subject to the conditions under A.4.

A representation has been received from a neighbouring owner/occupier and therefore the prior approval of the Local Planning Authority (LPA) is required as set out in conditions A.4 (7). The LPA is required to take into account the representation, and the impact of the proposal on the amenity of all neighbouring properties.

NEIGHBOURING AMENITY

The site is a detached property. The proposed extension would extend 5.5m from the rear elevation across the width of the property (12.2m). The extension would be set in 5.7m from the north side boundary, 12.3m from the south side boundary and 46.5m from the east rear boundary. The maximum height of the extension would be 3.2m, the eaves height of the extension would be 2.5m.

Adjoining neighbouring properties are set in from the shared boundaries with the application site. Furthermore, the proposed extension would be set in from the flank boundaries by a minimum of 5.7m. It is noted that the maximum height of the extension would be 3.2m, however the eaves height would be lower, at 2.5m. Therefore, given the spacing maintained between the extension and neighbouring properties and the eaves height of the extension, the extension would not result in any adverse impacts to neighbouring properties by reason of overshadowing or overbearing impacts.

SUMMARY

The proposed development complies with relevant development plan policies with reference to neighbouring residential amenity and as such is recommended for approval.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

NO OBJECTION

- 1 For the avoidance of doubt the approved details are the Location Plan, Site Plan, Block Plan, Proposed Ground and First Floor Plans EA139-15, Attic and Roof Plan EA139-16, Proposed North and East Elevations and Section EA139-17 and Proposed West and South Elevations EA139-17 submitted on 11 March 2026.