

Recommendation Report for Prior Notification for Householder Extension

REF NO: EP/99/21/PDH

LOCATION: 36 Old Worthing Road
East Preston
BN16 1DZ

PROPOSAL: Notification under extended permitted development rights for a single storey rear extension measuring 6m from beyond the rear wall of the original dwelling house, with maximum height of 3m and eaves height of 3m.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	A single storey side rear extension measuring 6m from beyond the rear wall of the original dwelling house and 1.5m past the side of the original dwellinghouse, with maximum height of 3m and eaves height of 3m.
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REPRESENTATIONS

Neighbour comments - Extensions size will block light from lounge during winter months.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

East Preston Neighbourhood Plan 2014 Policy 1	Housing - General Principles
East Preston Neighbourhood Plan 2014 Policy 5	Design in Character Area Four

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS

PRINCIPLE

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. In this instance, a rear extension should also not negatively impact adjoining properties in terms of privacy and overshadowing and preserve rear amenity space to at least 10.5m in depth.

East Preston has a made neighbourhood plan and policies 1 and 5 are of relevance to householder extensions. Policy 1 looks to control general principles relating to householder extensions including character and scale, car parking provision, amenities of local residents and protection of green spaces. Policy 5 provides the areas of character (Area 4) design guidance and seeks to control scale, density, massing, height, landscape design, layout and materials of including alterations to existing buildings, will; ensure that high front garden walls or fences are avoided; and, make provision for off-street car parking spaces by removing parts.

The local planning authority may refuse an Prior Notification application where, in the opinion of the authority; (a) the proposed development does not comply with, the conditions, limitations or restrictions applicable to development permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 at Schedule 2, Part 1 Class A.

RESIDENTIAL AMENITY

The proposed extension would be a rear and side extension, which would encroach on the separation distances between dwellings to 1.3m with the property to the West and 2.24m to the East.

The extension would be higher than the existing eaves line by approximately 150mm and have a total height of 3.1m above NGL.

The 45-degree rule would be breached by the extension but it is believed not to be by a great amount.

It is therefore considered that the extension would not be overbearing or overshadow neighbouring properties in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part M of the Arun Design Guide.

COMPLIANCE WITH CLASS A OF THE GPDO

The proposed development does not fall under the relevant regulations for the following reasons:

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming the side elevation of the original dwellinghouse and would ;

(i) exceed 4 metres in height

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse.

The proposed extension forms both a side and rear extension of a semi-detached dwellinghouse, and at 6.37m has a width greater than that of the original dwellinghouse contrary to Class A (j) (iii). Additionally

the eaves height of the proposed would be higher than the existing eaves height contrary to Class A (d).

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

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

OBJECTION

- 1 For the purposed of this application the Prior Notification Application has been refused on grounds that it;

Extends forms both a side and rear extension of a semi-detached dwellinghouse, and at 6.37m has a width greater than that of the original dwellinghouse contrary to Class A (j) (iii). Additionally the eaves height of the proposed would be higher than the existing eaves height contrary to Class A (d).

The decision has been based on the plans submitted;
- 1498/P02 Rev A
- 1498/P01