

Recommendation Report for Prior Notification for Householder Extension

REF NO: LU/101/14/PDH

LOCATION: 19 Clarence Avenue
Littlehampton

PROPOSAL: Notification under extended permitted development rights for a rear extension which extends beyond the rear wall by 4.3m with an eaves height of 2.36m & a maximum height of 2.51m

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 313 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The rear garden of the site is enclosed with approximately 1.8 metre high timber close boarded fencing.
SITE CHARACTERISTICS	The site is occupied by a semi-detached bungalow dwelling. A modest single-storey lean-to extension has been added to the rear elevation.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined by semi-detached bungalow dwellings.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

One letter of objection: The extension will cut out light from my conservatory. Light has already been cut a considerable amount by boundary fencing. They should extend into the loft if they need more rooms.

Comments on Representations received:

Noted. The existing fencing is of a height allowable under permitted development rights and the extensions will not be significantly higher than the fencing. There is ample glazing on the conservatory to allow for a sufficient level of light permeation.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The advice set down in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 under Section 4 (Amendments in relation to home extensions) (7) states that the local planning authority shall, when considering the impact of the proposal, take account of any representations received and consider the amenity of all adjoining premises. This means that the design of the proposed conservatory cannot be taken into account.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

This application relates to an extension to be attached to the rear wall of the property under Prior Notification which has recently come into force. The advice set down in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 under Section 4 (Amendments in relation to home extensions) (7) states that the local planning authority shall, when considering the impact of the proposal, take account of any representations received and consider the amenity of all adjoining premises. This means that the design of the proposed conservatory cannot be taken into account.

The proposed extension will not project a significant distance towards the rear of the site and, at 2.51 metres in height, it will not be project considerably above the existing boundary fencing to the north of the site. It is noted that windows on the southern elevation of the conservatory at the neighbouring property will be subject to a degree of overshadowing, however, it is considered that other windows on the conservatory will allow an adequate level of sunlight into the structure so as to make any potential loss of daylight from this extension acceptable.

It is therefore recommended that no objections are raised against the proposal.

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 for 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

Duty under the Equalities Act 2010

In assessing this proposal it has been determined that its approval would result in a neutral impact 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).

RECOMMENDATION

NO OBJECTION

1 For the avoidance of doubt the approved details are the submitted on