

Recommendation Report for Prior Notification for Householder Extension

REF NO: LU/189/18/PDH

LOCATION: 48 Northway Road
Littlehampton
BN17 7JX

PROPOSAL: Notification under extended development rights for new proposed single storey rear extension extending 5.96m from the original rear wall of the dwelling house, 3m high with an eaves height of 2.55m

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is a Notification under extended development rights for new proposed single storey rear extension extending 5.96m from the original rear wall of the dwelling house, 3m high with an eaves height of 2.55m.

The writing of a full recommendation report is as a result of representations from adjacent occupiers.

RELEVANT SITE HISTORY

REPRESENTATIONS

Objection from adjacent occupier:

- The building of the extension has potential to cause damage to their extension whilst excavating footings.
- There will be 'significant' loss of light as a result of the proposal.
- There is no Party Wall Agreement.
- The extension is contrary to policy D SP1 of the Arun Local Plan as it fails to incorporate measures to mitigate against climate change.
- There is no submitted documentation relating to Foul or Surface Water Drainage.
- By building one meter from the boundary line, it would be easier for the applicant to maintain their property in the future without entering the neighbouring dwelling.

COMMENTS ON REPRESENTATIONS RECEIVED:

Issues relating to party wall agreement and maintenance of extension are not matters that can be addressed by this application. Flooding and the effects of climate change are matters that are best addressed in this case via building regulations as an extension of this limited height and footprint will not have such an impact on drainage/flooding to make the proposal unacceptable. The proposed concern relating to loss of light will be considered in the conclusions section.

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary

[Littlehampton Neighbourhood Plan 2014 Policy 2](#)

A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 1

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application relates to a single storey extension to be attached to the rear wall of the dwelling under Prior Notification otherwise known as 'Extended Permitted Development Right'. The Town and Country Planning (General Permitted Development) (England) Order 2015 at Schedule 2, Part 1 Class A.4(7) and (9) states that the Local Planning Authority shall take into account any representations received and consider the amenity of all adjoining premises. Therefore, a full recommendation report is written in relation to the determination of the application. It is considered that the relevant policies are D DM1 and D DM4 of the Arun Local Plan, and Policies 1 & 2 of the Littlehampton Neighbourhood Plan.

DESIGN AND VISUAL AMENITY

By virtue of its location and intervening fencing, the proposed extension is not visible from the street scene and therefore does not give rise to any unacceptably adverse impact on the character and appearance of the locality.

The proposed development is considered to appear visually subservient to the host dwelling given its scale and matching materials. This means that there is no unacceptable harm to the character of the host dwelling.

The proposed development is considered to be in accordance with D DM1(1) and (2) of the Arun Local Plan. Additionally, D DM4(a), (b) and Policy 2 of the Littlehampton Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development will be constructed to a maximum height of 3m, which will continue that of the existing rear projection. It should be noted that a structure can be constructed under Permitted Development to a height of 4m under Permitted Development without the need for a formal planning application. The limited height of the extension and any intervening boundary treatment and in the case of 49 Northway Road distance away from boundary, will mean that there will not be an unacceptable loss of light or overbearing impact on the neighbouring properties.

Resultantly, the proposed development is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMMARY

The proposal is considered acceptable and no objection is raised in relation to the proposed application.

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 plans are hereby:

- Location Plan - 100019980 - Friday, June 29 2018
- Proposed Plans and Elevations - Proposals 02 - June 2018