

Recommendation Report for Prior Notification for Householder Extension

REF NO: LU/19/21/PDH

LOCATION: 18 Eagles Chase
Littlehampton
BN177RF

PROPOSAL: Notification under extended permitted development rights for a single storey flat roof extension measuring 4m from beyond the rear wall of the original dwelling house, with maximum height of 3.50m and eaves height of 3m.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Notification under extended permitted development rights for a single storey flat roof extension measuring 4m from beyond the rear wall of the original dwelling house, with maximum height of 3.50m and eaves height of 3m.
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REPRESENTATIONS

One letter of objection from the neighbour to the rear. Concerns raised over the height causing overbearing impact.

COMMENTS ON REPRESENTATIONS RECEIVED:

With the proposal being single storey it is not considered to cause any adverse overbearing impact on neighbouring properties. A fence of 2m can be constructed on the boundary which would have a similar impact on the property with most views of the proposal then being out of sight. The height of the eaves being 3m is not considered to cause any overbearing impact that would be demonstrable to the application.

DEVELOPMENT PLAN POLICIES

CONCLUSIONS

This application relates to a single storey rear extension to be attached to the rear wall of the property under Prior Notification otherwise known as "Extended Permitted Development Rights".

The Town and Country Planning (General Permitted Development)(England) Order 2015, at Schedule 2, Part 1, A.4(7) and (9) states that the local planning authority shall take account of any representations received and consider the amenity of all adjoining premises.

It should be noted that a structure can be erected in the proposed location under existing Permitted Development rights without the need for a formal planning application to a depth of 6m and a height of 4m. The proposed extension will measure 4m from beyond the rear wall of the original dwelling house, with maximum height of 3.50m and eaves height of 3m.

Due to the siting, the proposal is not considered to intersect a 45 degree angle when drawn from the closest ground floor opening at No.14 or No.16 Eagles Chase due to the separation distance. To the rear

of the properties an extension of 8m depth, would be permitted. It is considered that a depth of 4m that is proposed would not result in a significant overbearing impact, additional to that which could be achieved under permitted development.

Due to siting of No 18, the extension is not considered to result in harm upon this neighbouring property.

For the above reasons, it is not considered that the proposed extension would have a significant impact on the residential amenity over what could be constructed by the applicant under the GDPO without permission. The design of the proposed extension is such that it is not considered to give rise to significant adverse overlooking, overshadowing or overbearing impacts on neighbours. Therefore, the proposal is considered acceptable and no objection is raised in relation to 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 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 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 INFORMATIVE: For the avoidance of doubt the approved details are the application form and plans submitted on the 18th January 2021. The approved plans are hereby:
 - Existing Floor Plans Dwg No. 1044_200
 - Proposed Floor Plan Dwg No. 1044_201
 - Proposed Site Plan Dwg No. 1044_101
 - Location Plan Dwg No. 1044_001