

Recommendation Report for Prior Notification for Householder Extension

REF NO: R/19/19/PDH

LOCATION: 66 Westlands
Rustington

PROPOSAL: Notification under extended permitted development rights for pitched roof, single storey lounge extension to the rear of garage extending 5.3m from the original rear wall of the dwelling house. 3.820m high with an eaves height of 2.175m

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Notification under extended permitted development rights for pitched roof, single storey lounge extension to the rear of garage extending 5.3m from the original rear wall of the dwelling house. 3.820m high with an eaves height of 2.175m.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is bordered by 1.8m high boundary fencing.
SITE CHARACTERISTICS	The site is populated by a bungalow.
CHARACTER OF LOCALITY	The area is populated by a mixture of dwelling styles and types.

Noted.

REPRESENTATIONS

1 letter from neighbour:
- Loss of sunlight

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. It is considered that as a result of the separation distance and the slope angle of the roof, there is not considered to be any significant loss of light to the occupiers of the neighbouring dwelling to the North.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES

[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)
DSP1	D SP1 Design

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the residential amenities of the adjoining properties.

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

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 Eight'. 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.

The proposed extension will measure a maximum in 5.3m in depth. The eaves height will be approximately 2.2m, with a maximum height of 3.8m to ridge level.

The proposed extension will be constructed to a maximum height of 3.8m and will match that of the existing Northern projection of the host dwelling (a garage) and will be constructed of a pitched roof. It should be noted that a structure can be constructed under Permitted Development to a height of 4m without the need for a formal planning permission. In addition, the proposed roof slope angle allows the proposed extension to measure at a height of 2.3m, closest to the boundary as it slopes toward the boundary. The proposal, for this reason, is not considered to give rise to any loss of privacy due to outlook or any loss of light.

For the above reason, 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 or prior approval and therefore the proposal is considered acceptable and accords with policies D DM1 and D DM4 of the Arun Local Plan.

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:

- Drawing Survey - 0214 WE/SE - ADS-001-S - 21.03.18
- Drawing Outline Design - 0214 WE/SE - ADS-002-OD - A - 03.04.2018