

Recommendation Report for Prior Notification for Householder Extension

REF NO: R/211/19/PDH

LOCATION: 35 Sea Avenue
Rustington
BN16 2AR

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

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

REPRESENTATIONS

Objections from adjacent occupiers:

- Impingement on the amenities of adjoining properties.
- Overshadowing of the neighbouring property.
- Not inkeeping with the property and as such against the character of the area.

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposed concern relating to the amenities will be considered in the conclusions section.

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)
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

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 2 of the Rustington Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed extension will measure a maximum in 6m in depth. The maximum height of 3m for the flat roof.

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 37 Sea Avenue distance away from boundary, will mean that there will not be an unacceptable loss of light or overbearing impact on the neighbouring properties. The reduction in height from what is currently on site also allows for a reduced impact on overshadowing of neighbouring properties with the incorporation of a flat roof also reducing the impact.

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

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 plan is hereby:

- Job Number: 1519 - Drawing Number: D.001