

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: K/2/12/

LOCATION: 67 Golden Avenue
East Preston

PROPOSAL: New single garage at front of dwelling and conversion of existing garage to habitable accommodation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposed extension will project approximately 6.1 metres from the dwelling frontage, measures approximately 3.2 metres in width. Roof ridge height is at some 3.35 metres.
SITE AREA	Approximately 985 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front boundary is open. Side and rear boundaries marked by approximately 1.8 metre high timber fencing and/or hedging.
SITE CHARACTERISTICS	The site is occupied by a detached two-storey dwelling that has been extended to the front on the southern wing, this includes a single-storey garage element. There is a hard surfaced parking area to the front of the dwelling.
CHARACTER OF LOCALITY	The site is located on a residential road that is lined by detached dwellings, displaying a variety of designs and scales. An overriding characteristic is the setting back of dwelling frontages from the road the flanking of it with grass verging, helping to create an open, spacious and verdant character and appearance.

RELEVANT SITE HISTORY

K/29/00/	Extensions and alterations	Approve Conditionally 24-10-2000
K/26/02/	Proposed garage and first floor extension.	Withdrawn 08-11-2002

K/13/03/	Proposed alterations and extensions to provide study, music room, entrance hall and garage and carport at ground level. Enlarge bedrooms with en-suite bathroom at first floor level. (Re-submission following K/26/02)	Approve Conditionally 20-06-2003
K/33/03/	Alterations and extensions to front sides and rear	Approve Conditionally 12-01-2004

REPRESENTATIONS

Representations received:

Kingston Parish Council

Objection. Overdevelopment of the site and detrimental to the street scene.

One letter of objection from East Preston and Kingston Preservation Society: Would produce an unattractive appearance and look very much like an afterthought, not integrated with the design of the house. A more satisfactory solution would be to provide extra accommodation in an extension at the rear of the building, where it would not affect the appearance of the house from the road.

Comments on Representations received:

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area

Permitted Development Restrictions: Relate to formation of windows in northern and southern elevations.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)
[GEN7](#)
[DEV19](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

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 conflict with relevant Development Plan policies in that it would detract from the character and appearance of the surrounding by way of creating a building that would appear overly dominant within the street scene and would have a cluttered appearance to the frontage, to the detriment of the character and appearance of the surrounding area.

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 proposed extension would erode the gap maintained between the original frontage of the building and the road. Although it is acknowledged that the existing front extension to the property projects the same distance to the front as the proposal, it is considered that this feature is in context with the surrounding area where there are a number of L-shaped dwellings with wings projecting towards the road. However, the cumulative impact of the proposed extension and existing front extensions would bring the bulk of the building forwards of its original frontage, obliterating the original facade and giving the building an unbalanced visual dominance within the street scene, where the majority of buildings are set further back from the road, degrading its existing open and spacious characteristics

A further extension to the front of the building, in addition to those already present, would also produce a cluttered appearance to the frontage that would detract from the character and appearance of the street scene.

It is therefore recommended that the application is refused for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 deemed that its refusal would have 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

REFUSE

- 1 The proposal, by way of its cumulative impact with existing extensions bringing the bulk of the building frontage forward, would result in an overly dominant building within the street scene which would detract from the open and spacious characteristics of the surrounding area. In addition, the presence of a mixture of extensions forward of the original building would result in a cluttered frontage that does not integrate effectively within the original dwelling and would detract from visual amenities.

It would therefore conflict with policies GEN7 and DEV19 of the Arun District Local Plan.