

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

REF NO: AW/108/22/HH

LOCATION: 22 Gossamer Lane
Aldwick
PO21 3BY

PROPOSAL: Installation of concrete surfaced driveway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to install a concrete surface driveway.

RELEVANT SITE HISTORY

AW/383/21/HH	Retrospective application for erection of outbuildings in rear following demolition of existing.	ApproveConditionally 12-01-22
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REPRESENTATIONS

Aldwick Parish Council - Objection:

- There is a lack of permeability in relation to the surface.
- A surveyor should examine the site in order to ascertain that there is sufficient drainage in line with planning law.
- A loss of hedgerow will result from the application which does not contribute positively to the quality of the environment.
- The application is in direct conflict with Policies QE SP1 and with Policy W DM3 of the Arun Local Plan the Parish Design Statement (p 45).

No representation received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Built Up Area Boundary
Pagham Harbour Zone B
2km Buffer for Site of Special Scientific Interest
CIL Charging Zone 4

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS**PRINCIPLE**

The key policy is D DM1 of the Arun Local Plan, and guidance set out by the Arun Design Guide.

Aldwick does not have a 'made' Neighbourhood Development Plan but does instead have a Parish Design Statement, which is of relevance. The property is in Area 6 (Gossamer Lane).

DESIGN AND VISUAL AMENITY

The proposal is situated to the front of the property and will be visible from the wider area.

The driveway will cover part of the existing front garden, which is currently grass. It will join to the brick driveway to the north-western boundary, creating easier access from the resident's vehicle to the dwelling, which will be of great benefit to the resident. Although the proposal will alter the visual appearance of the curtilage by reducing green garden space, it will have a minimal impact on the character and appearance of the property itself and is not of adverse harm to amenity. Being to the front of the property, the proposal will be visible from the street scene. This visibility will be limited, given the boundary treatment which blocks part of the front garden from view. Gossamer Lane is comprised of a variety of driveway styles, with a number similar in design to that of the proposed. Although visible at points, the proposal will not appear out of place in the street scene and will have minimal harm on the composition or appearance of the area. It will be in keeping with the general character of the area and have little impact on visual amenity.

Concern has been raised regarding the loss of hedgerow that will result from the proposal. The loss of the hedgerow can be done without permission, and as the description for the proposal is for the construction of the driveway only, permission for the loss of hedgerow is not granted as part of this application. It is also mentioned that there is conflict with policy QE SP1 of the Arun Local Plan. The driveway will have minimal impact on residential amenity, and is not unduly harmful to the natural environment, still retaining parts of the front garden. It is not unacceptably conflicting QE SP1, and although having some impact on the natural environment, is not of significant enough harm to warrant refusal.

The Aldwick Design Statement states that for developments to properties within the Gossamer Lane area, the character of area should be preserved, and front boundaries should contribute to overall street scene. The driveway is in keeping with the character of the locality and will not have a negative impact on the appearance of the street scene. It will be of essential use to the resident, and is in accord with the Design Statement.

Arun Design Guide states that car parking should be provided through a variety of solutions which are

appropriate to their context, the size and nature of development, and the order of the street. It advises that the provision of hard standing driveways at the expense of front gardens should be avoided, however residents should be provided safe and convenient access to parking. In this case, where the driveway will be of essential use to the resident, the use of concrete and partial loss of garden space is acceptable. It is in accord with the Design Guide.

The development will have no adverse impact on visual amenity or the character of the area and is in accord with D DM1 of the Arun Local Plan, Aldwick Design Statement, and Arun Design Guide.

RESIDENTIAL AMENITY

As the works consist of installing a concrete surfaced driveway, this will have no overbearing or overshadowing impact on neighbouring properties. The driveway poses no risk of overlooking and will have no impact on residential privacy or amenity. It is in accord with the Arun Design Guide and is acceptable.

The development will result in no adverse overbearing, overlooking, or overshadowing, and is in accord with D DM1 of the Arun Local Plan and the Arun Design Guide.

DRAINAGE

Concern has been raised regarding a lack of permeability in relation to the surface and conflict with policy W DM3 of the Arun Local Plan. The proposal incorporates drainage features such as ACO drains and a soakaway, which is sufficient to manage any lack of permeability caused by the driveway. This is in accord with W DM3 which states that sustainable urban drainage systems must be incorporated in developments, of which soakaways are included and accepted. Therefore, any impact on drainage should be minimal, and is acceptable.

PARKING

The proposed works will increase the number of potential parking spaces for the property and will have no impact on Highways.

SUMMARY

The proposed development accords with development plan policies and is recommended for approval subject to the following conditions and informatives.

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 positive impact on the protected characteristics.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans only insofar as they relate to the driveway:

- Location Plan
- Block Plan
- Proposed Plans JHB/327/316

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 4 **INFORMATIVE:** As the application is only for the installation of a concrete surfaced driveway, if permission is required for the wall/fence as shown in Proposed Plans JHB/327/326, submission of a separate application will be required.