

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

REF NO: AW/170/20/HH

LOCATION: 116 Nyetimber Lane
 Aldwick
 PO21 3HL

PROPOSAL: Dropped kerb.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to extend the existing dropped kerb to the front of the property.

RELEVANT SITE HISTORY

AW/308/16/HH	Dropped kerb & hardstanding	ApproveConditionally 12-01-17
AW/38/15/HH	Garage conversion & extension	ApproveConditionally 28-04-15

REPRESENTATIONS

No objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:
WSCC Highways: No objection subject to conditions.

POLICY CONTEXT

Designation applicable to site:

Built-Up Boundary Area
Road class C

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD10	Aldwick Parish Design Statement
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CONCLUSIONS**PRINCIPLE**

The key policy considerations are DDM1 of the Arun Local Plan.

Aldwick does not have a Neighbourhood Plan but it does have an adopted Village Design Statement which has been taken in to account.

DESIGN AND VISUAL AMENITY

The application seeks to extend the dropped kerb to the front of the property. This would result in a minimal visual change to the street scene.

There are examples in close proximity to the application site and therefore the proposal is deemed in keeping with the established character of the locality.

The proposal is not considered to adversely impact the appearance of the street scene and accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the development proposed, it is not deemed to give rise to adverse impacts upon neighbouring amenity and accords with DDM1 of the Arun Local Plan.

HIGHWAY SAFETY

The applicant proposes to implement a 5.5m VCO at this location. This conforms to the maximum VCO guidance of 6.4m in WSCC guidance. From an inspection of WSCC and local mapping and the submitted plans demonstrating visibility of 2.4 x 43 metres in both directions, visibility along Nyetimber Lane is enough with excess of 2.4m by 43m available from the centre of the access point, within maintainable highway land. Manual for Streets sets out that 43m is suitable stopping sight distance (SSD) for vehicle speeds of 30 mph and therefore the LHA would not anticipate that the proposal would generate a highways safety concern at the proposed access.

Access condition has been suggested by WSCC: 'The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved site plan.'

The above condition has not been imposed to the decision since it was noted on site visit that the parking area is already in use.

SUMMARY

The development is deemed to accord with the relevant development plan policies and as such 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 neutral impact on the protected characteristics.

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:

Block Plan
Location Plan

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 The use of the access shall not commence until visibility splays of 2.4m by 43 m in both directions have been provided at the proposed site vehicular access onto Nyetimber Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining

carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with policies T SP1 of the Arun Local Plan.

- 4 INFORMATIVE: The Local Highways Authority (LHA) advises the applicant that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee the permission of a Vehicle Crossover (VCO) licence. Please see the following link on details pertaining to the licence application process:
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>
Online applications can be made at the link below, alternatively please call 01243 642105.
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform>
- 5 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.