

Recommendation Report for Planning Permission for Works or Extension to a Dwelling**REF NO:** AW/226/14/HH**LOCATION:** The Twisted Pillar
127 Aldwick Road
Bognor Regis**PROPOSAL:** New drop kerb & vehicular access**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The new access to create an in and out access onto Aldwick Road measures approximately 3.04m in width.
SITE AREA	Approximately 372 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has boundary wall approximately 1.2m in height, side boundaries wall approximately 1.2m in height.
SITE CHARACTERISTICS	Detached two storey property with attached flat roof garage. The property has brown brickwork, tiled roof with white window frames.
CHARACTER OF LOCALITY	Main road with residential properties on either side comprising a mixture of detached, semi-detached and terraces properties of various styles and designs.

RELEVANT SITE HISTORY

AW/129/94	First floor pitched roof extension to rear	ApproveConditionally 04-11-1994
AW/177/98/	Alteration to approved extension AW/129/94 with altered roof pitch & windows at 1st floor level with bathroom window on western elevation plus sun lounge extension	ApproveConditionally 18-12-1998
AW/152/99/	Additional obscure glazed window in extension on previous planning application AW/177/98	ApproveConditionally 27-09-1999
BR/218/53/F	Detached house with garage	ApproveConditionally

12-04-1954

REPRESENTATIONS

Representations received:

Aldwick Parish Council

Members have no objection to the application.

1 Letter of Objection

Aldwick Road is very tight for parking and as most houses on the opposite side of the road are flats the creation of a second dropped kerb will take away 2 spaces for parking. Why is there an issue about pulling out onto the road. As the property has an existing dropped kerb I cannot see that this is necessary to create another as there would be no improvement to safety.

Comments on Representations received:

Objection comments noted

County Highways have been consulted and have raised no objection with regard to highway safety.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways

The proposal is for a new access onto Aldwick Road. From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto Aldwick Road. The application is part retrospective in that works commenced in Summer 2014. There are a number of similar "in-out" accesses nearby. From records immediately available to the Highway Authority only the access at 131 Aldwick Road has planning permission from 2002. There were no objections from the Highway Authority to this application. It is generally the Highway Authority's policy to not accept "in-out" accesses due to issues with internal movements, however with nearby properties operating with no recorded issues, the fact that Aldwick Road has a significant bus route, with local pinch points preventing vehicular traffic from flowing at its best rate creates a push factor in moving vehicles from on-street parking to off-street.

It should be noted that a licence to drop the kerb will should be sought by the applicants to WSCC Area Highways. Whilst this proposal is acceptable in terms of planning, the Area Office may refuse to grant a crossover licence.

The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal.

The applicant is advised to contact the West Sussex Area Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Class B Road
PD Restriction

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality	
	D SP1 Design	
	SD SP2 Built-Up Area Boundary	

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Felpham.

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 visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character 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 property is located on the B2166 Aldwick Road and the application seeks to construct a second vehicular access with crossover.

At the time of the officer's visit it was noted that the front garden area had recently been paved and the creation of a second access had been formed. The existing access with vehicular crossover is sited on the western side of the dwelling and the second access which has a width of 3.04m has been created on the eastern side with the boundary wall in between.

It was noted at the time of the officer's visit that the neighbouring property at 131 had an in and out driveway. County Highways have been consulted and have raised no objection to the formation of a new access. However, a licence to drop the kerb will be required and, if approved, an informative will be placed on any approval to this affect.

There are several properties along this stretch of road that have in and out access points so it is not considered that this would have an adverse impact on the established character and appearance of the surrounding area.

It is therefore recommended to approve the application, subject to conditions.

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)

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 a neutral impact has 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).

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 formation of the new access as per the plans which were received on 2nd September 2014.

Site 1:1250
Block 1:500
Vehicular Access 1:200
Visibility Splay 1:400

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 INFORMATIVE: The applicant is advised to contact the West Sussex Area Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
- 4 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.