

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

REF NO: AW/253/25/HH

LOCATION: 9 Aigburth Avenue
Aldwick
PO21 3DA

PROPOSAL: Extension of existing vehicle cross over.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to extend an existing vehicular crossover.
----------------------------	---

RELEVANT SITE HISTORY

AW/295/18/HH	Conversion and extension of existing garage to craft/store and demoliton of existing conservatory to include alterations to fenestration	ApproveConditionally 19-12-18
--------------	--	----------------------------------

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WEST SUSSEX COUNCTY COUNCIL HIGHWAYS (LHA)

This application seeks the extension of an existing vehicle crossover. The site is located on Aigburth Avenue, an unclassified road subject to a speed restriction of 30 mph.

The proposals seek to extend an existing vehicle crossover by 2.4m. The applicant states that this is to match the width of the existing driveway with the dropped kerb, and improve access into and out of the site. The proposed works will be subject to a licence obtained from WSCC, and constructed to a specification agreed with a WSCC Highway Area Engineer.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

OFFICER COMMENTS

Comments noted.

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

DDM1	D DM1 Aspects of form and design quality
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**DESIGN & VISUAL AMENITY**

This proposal seeks to extend an existing 7.35m wide vehicular crossover by a further 2.4m. The proposal, by virtue of its scale, design and location, would not have an adverse impact upon the character and appearance of the area. The loss of one on-street parking space would be mitigated by the provision of an additional private space; this would likely benefit the flow of traffic and ease congestion. There are several examples of vehicular crossovers of varying widths near the application site and therefore the proposal is in keeping with the established character of the locality in accordance with policy D DM1 of the Arun Local Plan (ALP). It should be noted that as Aigburth Avenue is a D-Class Road, planning permission is not technically required; as permission has been applied for, the application has been assessed according to policy.

RESIDENTIAL AMENITY

Due to the nature of the development it will not give rise to any adverse impacts upon neighbouring amenity in terms of overlooking, overbearing or overshadowing effects in accordance with policy D DM1 of the ALP.

HIGHWAYS

WSCC Highways have determined the proposal would not have an unacceptable impact on highways safety or result in 'severe' cumulative impacts on the highway network. The proposal would not result in harm in this regard, and is therefore in accordance with policy T SP1 of the ALP.

The applicant must obtain a license (VCO) for proposed access works through the local Highway Area Office and the dropped kerb extension must be constructed to a specification agreed with the local Highway Area Engineer.

SUMMARY

The proposed development is in accordance with relevant development plan policies and as such is recommended for approval subject to the following 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 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.

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:

- Location Plan
- Existing and proposed vehicle cross over JHB.327.520

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy T SP1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** The applicant is advised that in addition to obtaining planning permission that

they must also obtain formal approval from the highway authority to carry out site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/>

- 5 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.