

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

REF NO: BE/10/26/HH

LOCATION: 270 Chichester Road
Bersted
PO21 5AX

PROPOSAL: Dropped kerb in front of the property.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Bersted Parish Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways - This application is for a dropped kerb in front of the property. The site is located on Chichester Road, a B-classified road subject to a speed limit of 30mph.

The proposed access will be 5.57m in width and will provide access to one parking space on the existing driveway. The access works are subject to a licence from the WSCC Area Engineer and must be constructed to a specification agreed with them.

Visibility at the proposed access appears to be sufficient for the anticipated road speeds in this location and splays appear to be maintainable wholly within the public highway.

Conclusion: 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 (paragraph116), and that there are no transport grounds to resist the proposal.

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

REPORT_1011(ODB)

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a semi-detached property. The front garden currently has both a grassed and hardstanding area; the concrete has a depth of approximately 7.2m and a width of 5.16, enough space to accommodate a policy compliant parking space. The existing landscaping would be retained on the eastern border.

Dropped kerbs are a common feature along Chichester Road, where most dwellings set back from the highway by a large enough distance to accommodate a parking space. There are a number of existing dropped kerbs within close proximity to the application site. Double yellow line run along both sides of this section of Chichester Road, therefore the proposal would not result in the loss of on-street parking.

The proposal would not result in harm to the character of the area and would reflect the existing street scene, in accordance with Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The dropped kerb would not result in harm to residential amenity in that it would not result in any overlooking, overbearing or overshadowing effects on neighbouring properties. There are several neighbouring properties with a similar arrangement, with driveways to the front and as such, the proposal would not result in any additional noise and disturbance. The proposal is therefore in accordance with Arun Local Plan policy D DM1.

HIGHWAYS

WSCC Highways have been consulted on this application and have confirmed that the introduction of the dropped kerb to allow vehicular access onto the road would not have an unacceptable impact on highway safety or a severe cumulative impact on the operation of the highway network. The applicant will need to make an application for a crossover license before commencing with the proposal.

The proposal would regularise the on-site parking and, as the proposal would not have an unacceptable impact on highway safety; the proposal is in accordance with Arun Local Plan policy T SP1.

SUMMARY

The proposed development is in accordance 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

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.
- Block Plan.
- Crossover Plan.
- Visibility Splay.
- Front Elevation.

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