

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

REF NO: BR/122/18/HH

LOCATION: 69 Nyewood Lane
Bognor Regis
PO21 2SD

PROPOSAL: Vehicle crossover & creation of gravel topped hardstanding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	To accommodate the crossover part of the wall and the overgrown hedging on the front will be removed and the remainder made good.
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	1 m wall on front and south boundary.
SITE CHARACTERISTICS	Bungalow same design as bungalow to the north. Front garden laid to lawn.
CHARACTER OF LOCALITY	Residential mix of houses bungalows and 3 storey flats to the west of the town centre. There is a bungalow identical to the application property to the north set back the same distance from the road. To the south is a terrace of white rendered cottages. The end property adjacent to the application site has a hard standing for parking in front separated from the front garden by a 1.8 m high close boarded fence with 20cm of trellis.65 and 71 have and 73 have 2 m close boarded fence to front

RELEVANT SITE HISTORY

No relevant site history.

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council
Bognor Regis Town Council - No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

WSSC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSSC Highways - No recorded accidents in the vicinity of the application site and no evidence to suggest that proposal would exacerbate safety. Pedestrian visibility splays would be a benefit. The proposals will not have a severe impact on highway network

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

There are no policies within the Bognor Regis Neighbourhood Plan that are relevant to the development proposals.

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 safety of highway users.

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 proposal is for a vehicle crossover on a residential street with vehicle speeds below the limit of 30mph. The proposal would involve creating a gap in the existing hedge and boundary wall and returning the boundary wall into the site at a height of 0.6m.

The proposal will have no material impact on the character of the surrounding area with vehicle crossovers being a prevalent characteristic of the area. WSCC Highways have also confirmed that the proposals will not have any severe impacts on highway safety.

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:

Amendment 1 - Boundary wall and visibility

Amendment 1 - Site Plan showing visibility splay

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy T DM1 of the Arun Local Plan 2011-31.

- 3 The development shall not come into use until pedestrian visibility splays of 2m x 2m have been implemented. These visibility splays shall thereafter be kept free of obstruction over a height of 0.6m.

Reason: In the interests of road safety in accordance with T DM1 of the Arun Local Plan 2011 - 31.

- 4 The development shall not come into use until the car parking has been constructed in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with T DM1 of the Arun Local Plan 2011 -31.

- 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.