

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

REF NO: BR/161/13/

LOCATION: 2 Corbishley Road
Bognor Regis

PROPOSAL: Dropped kerb, for driveway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Proposed vehicular access approximately 3.5m in width.
SITE AREA	Approximately 300 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Front has hedging approximately 1.5m in height, north side boundary has close boarded fencing approximately 1.5m in height, south side boundary has close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	Two storey semi-detached property with white painted brickwork, white window frames with a red tiled roof.
CHARACTER OF LOCALITY	Residential road comprising semi-detached properties of similar style and design.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highway's

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

This application seeks to install a dropped kerb to create one off street car parking space to serve 2 Corbishley Road. Corbishley Road is 'C' classified and subject to a 30 mph speed limit. Appropriate vehicular visibility can be wholly achieved by land considered to be public highway by virtue of the pedestrian footway in this location. It is appreciated that the access will be approximately 30 metres from the junction with Orchard Way, however it would not be anticipated that vehicles would be travelling at 30mph when joining Corbishley Road from Orchard Way.

2x2 pedestrian visibility splays should be provided, these will have an impact on the adjacent hedging and can be secured via condition.

The off street car parking space should measure 2.4 x 4.8 metres and from scaling the plans provided this would be achievable, even though it has not been fully demonstrated on the plans provided. I would be minded to ask that the plans and details of the off street car parking space are secured via condition and constructed in a bound surface.

From the information provided no anticipated highway safety concerns would be raised to this application.

If the LPA are minded to grant planning consent the following conditions and informative note would be advised.

Access

No part of the development shall be first occupied until such time as the vehicular access serving the proposed use has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety.

Pedestrian Visibility

No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Corbishley Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

Car parking space

No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

Informative

Minor Highway Works

The applicant is advised to contact the Community Highways Officer (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:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary
Class C Road
No Public Sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 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. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012 and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published. Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption. At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

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 dwelling which is sited on classified C road seeks to create a vehicular access with the provision of a dropped kerb.

The dwelling has hedging to the front and part of this hedging is to be removed to create a crossover over the existing footway with the provision of a harstanding. The neighbouring properties Nos 1, 3, 9 and 10 within the immediate vicinity have dropped kerbs with vehicular access. It is not considered that the vehicle access at this point would cause any visual distraction.

County Highway's have been consulted and have raised no objection on safety grounds subject to conditions relating to the visibility splays and an informative regarding a licence from the Community Officer.

There are other properties within the immediate vicinity that have similar arrangements so it is not considered that this would have an adverse impact on the established character or appearance of the surrounding area. It would also remove vehicles from the highway on this narrow section of the road.

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

HUMAN RIGHTS ACT

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

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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: Site 1:1250, Block 1:500 received on 30th July 2013.

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 The access to the proposed site shall be laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

These pedestrian visibility splays shall be:-

2 metres by 2metres on each side of the proposed access based on the existing highway boundary.

No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The car parking spaces shall not be occupied until plans and details have been submitted to and approved in writing by the Local Planning Authority. The parking space should measure 2.4m x 4.8m and the space thereafter be retained at all times for the parking of vehicles.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 5 INFORMATIVE: If the area of ground covered by the hard surface exceeds 5 square metres it shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

- 6 INFORMATIVE: The applicant is advised to contact the Coastal Team, Community and Economic Development, Communities and Infrastructure Directorate, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex, BN13 2QB to obtain a license for the site access works.

- 7 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.