

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

REF NO: BR/227/12/

LOCATION: 106 Linden Road
Bognor Regis

PROPOSAL: Drop kerb

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a dropped kerb.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None to front.
SITE CHARACTERISTICS	Semi-detached, two storey dwelling constructed from brick with pebbledash elevations at first floor and slate tiled, hip roof. Bay window to front elevation at ground floor level.
CHARACTER OF LOCALITY	Residential. Main road comprising semi-detached two storey dwellings of identical character and design.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objection, subject to suitable drainage being in place for the parking.

Comments on Representations received:

Noted. The hardstanding is existing and does not form part of the planning application.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways Authority: Based on the site visit no objections would be raised. There

appears to be a driveway leading to the rear of the site, but no dropped kerb in place. The new access should be constructed in crossover construction in accordance with the specification obtained from WSCC.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Within built-up area boundary
Class C Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN2</u>	Built-up Area Boundary
	<u>GEN7</u>	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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.

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 application property is a semi-detached dwelling located on a Class C Road (Linden Road) in Bognor Regis.

There is a hardstanding and driveway to the side of the property that leads to the rear garden. The applicant seeks to drop the kerb on Linden Road, in order to enable vehicular access and off-street parking for two cars at the rear of the property.

Linden Road is a Class C road with limited off-street parking provision. A number of neighbouring properties have created dropped kerbs and hardstandings, in order to provide off-street parking provision. The proposal will have no adverse impact on visual amenity and will help to alleviate on-street parking and congestion on Linden Road. The County Highways Authority raises no objection on highway safety grounds.

It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 to 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 (Neutral) 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).

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 Map 1:1250, Location Map 1:500 received on 12 September 2012.

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 Coastal Team, Community and Economic Development Communities and Infrastructure Directorate, Cetenary House, Durrington Lane, Durrington, Worthing, West Sussex BN13 2BQ to obtain a license for the site access works.