

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

REF NO: EG/15/13/

LOCATION: 20 Gospond Road
Barnham

PROPOSAL: Dropped kerb and driveway to front of property

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 125 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Wooden picket fencing at approximately 1 m to front.
SITE CHARACTERISTICS	Two storey end of terrace property with brown brick elevations. Hipped roof with plain tiles and front gable.
CHARACTER OF LOCALITY	Residential area with two storey detached, semi-detached and terraced properties.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None

CONSULTATIONS

Southern Water Planning
WSCC Strategic Planning

Consultations responses received:

West Sussex County Council Highways

Having reviewed the plan submitted (6714/03), it would appear a vehicle is proposed to be parked either adjacent to the property frontage sideways or a smaller vehicle can be parked either facing the property or road. From inspection of the plan it would appear that both can be achieved without blocking the highway. Although both spaces will be tight, consideration must be given to the quiet residential nature of the cul-de-sac and neighbouring properties operating

similar driveways. It is therefore on that basis, no concerns would be raised to this application from a highway safety aspect.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:
Within Built-Up Area Boundary

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.

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 highway safety or residential amenity.

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 dropped kerb and a driveway to the front of the property.

The principal issue for consideration is the impact on highway safety. The County Highways Authority has no concerns from a highway safety aspect.

The driveway will be made from black tarmac and will replace grass. However, there a number of similar dropped kerbs in the immediate locality, most notably at numbers 18, 22 and 24 as well as directly opposite the property at number 33. This means that it will not look out of place and is consistent with a residential area.

It is therefore recommended that the proposal be approved, 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 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

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 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: drawing number 6714/01A (existing plan, site and block plan) and drawing number 6714/02 (proposed plan).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with 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, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex, BN13 2QB to obtain a licence for the site access works.

- 4 **INFORMATIVE:** Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7

NATIONAL POLICIES: National Planning Policy Framework

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 5 **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.