

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

REF NO: **FP/47/12/**

LOCATION: 14 Felpham Way
 Felpham

PROPOSAL: Removal of old concrete driveway and replace with permeable brick block paving

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks retrospective consent for the removal of old concrete driveway and replacement with permeable brick block paving.
SITE AREA	Approximately 600 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Low brick wall and boundary hedging, approximately 1.5-2 metres high.
SITE CHARACTERISTICS	Two storey pitch roof dwelling faced in white pebbledash with tiled roof.
CHARACTER OF LOCALITY	Predominantly residential. Application property is located on a main road, characterised by a variety of dwellings and bungalows of different styles and designs.

RELEVANT SITE HISTORY

BR/293/71/A	Post display - externally illuminated	Refused 31-08-1971
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REPRESENTATIONS

Representations received:

No objection. It was noted that this application is retrospective.

Comments on Representations received:

Noted

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways Authority: The application seeks retrospective consent for a brick block paving driveway. Felpham is an 'A' classified road subject to a 30mph speed restriction at this point. A pedestrian point is present at this location and a dropped vehicle crossover has already been installed for vehicular access. It would appear that the front of the site has been opened up as part of this proposal which does improve both vehicular and pedestrian visibility at this point of access.

The constructed driveway is not permeable and does slope towards the public highway. I would therefore request that suitable drainage methods are installed to prevent surface water running onto the public highway. This is in the interest of highway safety. From the information supplied, I believe the applicant is prepared to provide the appropriate drainage facilities.

Comments on Consultation responses:

Noted

POLICY CONTEXT

Designation applicable to site:
Class A Road
Within built-up area boundary
No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage

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.

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, or highway safety.

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 seeks retrospective consent for permeable brick paving to replace an area of concrete hardstanding to the front of the property.

The area of permeable paving covers an area of approximately 25 sq metres and is finished in brick in a herring bone pattern. The brick paving is of regular size and creates a uniform, even surface to the front garden. An area of grass is retained to the side and the site is screened to the front boundary by a brick wall and hedging. The application property is located on a main road (Felpham Way) and the paving is visually prominent at the entrance to the driveway. It is considered to enhance and improve the streetscene and the visual amenity of the area.

With regard to highway safety, Felpham Way is an 'A' classified road, subject to a 30mph speed restriction. The front of the site has been opened up as part of this proposal, which improves both vehicular and pedestrian visibility at this point of access. The constructed driveway is not permeable and slopes towards the highway. As such, suitable drainage methods will be required to prevent surface water run-off onto the public highway, in the interests of highway safety.

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

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 Within 2 months of the date of this permission, details of suitable drainage methods to dispose of surface water shall be submitted to and approved in writing by the Local Planning Authority. The method to dispose of surface water shall be implemented within

3 months of the date of written agreement by the Local Planning Authority and retained as such thereafter.

Reason: In the interests of highway safety, to comply with policies GEN7 and GEN9 of the Arun District Local Plan.

2 **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: GEN7, GEN2, GEN9

NATIONAL POLICIES: National Planning Policy Framework (2012)

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