

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

REF NO: FP/81/20/HH

LOCATION: 26 Links Avenue
Felpham
PO22 7BX

PROPOSAL: Installation of a dropped kerb/crossover.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for a dropped kerb to the front of the property.
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REPRESENTATIONS

Objection
- Insufficient room to accommodate this.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC

- Requested additional information relating to the width of the dropped kerb access and the dimensions of the parking area.

Following this WSCC provided updated comment.

- 30.7.20

The LHA observes that the new parking area would not be practically accessible due to the location of the Crossover, the LHA therefore advise the applicant to modify the VCO to ensure that a vehicle can access without fouling upon the kerb. In principle the LHA does not consider a severe impact upon the highway.

An additional plan as received to increase the width of the dropped kerb for easier access to 5.4m.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The key policy considered is D DM1 of the Arun Local Plan. Felpham has a Neighbourhood Plan with policy ESD1 of relevance to the application.

DESIGN AND VISUAL AMENITY

The application seeks to construct a dropped kerb to provide parking to the front of the property. There are a number of dropped kerbs to neighbouring properties and it will not appear out of place within the area.

The neighbouring property also has the same vehicular set up as is proposed.

Due to the type of development proposed, the alteration is not considered to adversely impact upon the appearance of the street scene and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the type of development proposed, it is not considered to result in adverse impacts by way of overbearing, overlooking or overshadowing and accord with D DM1 of the Arun Local Plan. Any loss of on street parking would be minimal and compensated by the off street parking provided.

SUMMARY

The proposed development is considered to accord with relevant development policies and as such is recommended for approval subject to the following conditions and informatives. The comments of WSCC are noted and in planning terms the scheme is acceptable - it is possible that WSCC may have control via the need for a license.

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
 - Location Plan
 - Block Plan
 - Dropped kerb - 31.7.20
 - Parking Plan with dimensions

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

- 3 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.

- 4 INFORMATIVE: INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form>