

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

REF NO: LU/300/21/HH

LOCATION: 142 Clun Road
Wick
Littlehampton
BN17 7ET

PROPOSAL: Drop kerb and convert front garden into driveway

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application site is a 2 storey, semi-detached house on Clun Road. The application seeks planning consent to convert the front garden into a driveway and drop kerb leading onto Clun Road.

REPRESENTATIONS

Littlehampton Town Council - No Objection to proposed works, subject to approval from WSCC Highways.

No representations from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

West Sussex County Council Highways Authority - In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Therefore, it is not contrary to the National Planning Policy Framework (paragraph 111), and there are no transport grounds to resist the proposal.

POLICY CONTEXT

Designation applicable to site:
Within the built-up area boundary.
2km buffer zone for Site of Special Scientific Interest.

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#)

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and T SP1 of the Arun Local Plan. Additionally, Policy 1 of the Littlehampton Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Arun Local Plan 2011-2031 Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Policy 1 of the Littlehampton Neighbourhood Development Plan states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. It goes on to set out circumstances where an applications conflict with Policy 1 would be acceptable.

DESIGN AND VISUAL AMENITY

The development is considered to have a limited impact upon the character and appearance of the locality given that there are other examples in close proximity to the site. Therefore, the application is considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The development is not considered to result in any significant impact upon the residential amenities of neighbouring dwellings. This is because there is no overshadowing, overlooking or overbearing aspects to the proposed development. The development is in accordance with D DM1(3) of the Arun Local Plan.

TRANSPORT AND PARKING

The vehicular crossover (VCO) will be 3m wide and must be constructed to a specification agreed with the WSCC Highways. Visibility at the access is sufficient for the anticipated road speeds in this location. The plans demonstrate two parking spaces on the driveway. The applicant will need to make an application to County highways for a crossover license in order to commence this aspect of the development when highway safety is a consideration and as such the proposal is in accordance with policy T SP1 of the Arun Local Plan.

SUMMARY

The driveway proposes to incorporate drainage features in order to prevent surface runoff into the road therefore, the works to create a driveway would normally not require planning permission and be Permitted Development.

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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 positive impact on the protected characteristics.

CIL DETAILS

This application is not CIL Liable.

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, Sketch Plan & Block Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM4 of the Arun Local Plan.

- 3 **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-orcrossovers-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-orcrossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

- 4 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.