

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

REF NO: LU/381/14/HH

LOCATION: 70 Southfields Road
Littlehampton

PROPOSAL: Proposed dropped kerb. This application may be determined by Littlehampton Town Council under delegated powers

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposed dropped kerb measures approximately 3.7m in width and will lead on to the classified Class C Southfields Road. The grass verge to the front will be tarmacked over and combined with the existing hardstanding to the front of the property it will provide off-street parking for 2-3 cars.

SITE AREA

Approximately 150 square metres.

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Open to front. Low brick walling to front sides at approximately 0.3m in height.

SITE CHARACTERISTICS

A two storey semi-detached dwelling with brick and tile hung elevations and a pitched plain tiled roof. There is a brick built flat roof porch at the front.

CHARACTER OF LOCALITY

Predominantly residential in character, there are mainly two storey terraced properties and semi-detached properties in the area.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

WSCC Highways

No objection.

The precedent of vehicle crossovers along Southfields Road has already been set. Appropriate visibility splays of 2.4m x 43 metres can be achieved wholly within highway land. It is noted that the crossover will be construed on the western extent of the property frontage. The crossover should not therefore interfere with the existing layby or the existing street lighting column.

The crossover must be constructed under licence to a specification obtained from WSCC Highways. No details have been provided pertaining to any proposed hard standing area for vehicle parking. This area must measure 2.4 x 4.8 metres and be constructed in a bound material. I would ask these details are secured via condition.

No anticipated highway safety concerns would be raised to this application. If the LPA are minded to grant planning consent a condition relating to vehicle parking and access should be applied and an Informative placed on it.

Comments on Consultation responses:

Comments noted. The proposed Highways conditions and Informative will be included in this recommendation.

POLICY CONTEXT

Designation applicable to site:

Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
D DM1 Aspects of Form and Design
Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication'

of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

The Littlehampton Neighbourhood Development Plan was made at Full Council meeting on 5th November 2014. This means that the Littlehampton Neighbourhood Development Plan has been brought into legal force and forms part of the statutory plan for the town. Consequently, decisions on whether or not to grant planning permission in this area will need to be made in accordance with the Littlehampton Neighbourhood Development Plan, unless material considerations indicate otherwise.

There are no policies from the Littlehampton Neighbourhood Development Plan that are considered to be of relevance to this application.

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 have an adverse impact upon the established character of the surrounding area, and would allow for the safe movement of pedestrians and vehicles.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policy GEN7 which seeks to prevent development that would have an adverse impact upon visual and residential amenities and would allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians.

DESIGN AND VISUAL AMENITY (GEN7, ARUN DISTRICT LOCAL PLAN)

This application seeks planning permission to drop the kerb to the front of the property where it connects with Southfields Road which is a Class C road and provide off-street parking for 2-3

vehicles. The grass verge to the front will have tarmac hardstanding which combined with the existing hardstanding in the front garden will provide the necessary parking space.

The property is located within an established residential area where there are other dropped kerbs and parking to front nearby including at nos. 72, 74 and 68A Southfields Road. The proposed crossover and resultant vehicle parking in the front garden will therefore not appear out of keeping with its surroundings. Indeed, the parking of vehicles in front gardens is already seen on either side of the property. By providing off-street parking to the front of the property, it would remove parked vehicles from the highway which is noted to be of benefit to the proposal.

It is therefore considered to be acceptable in visual amenity terms and complies with policy GEN7(ii) of the Arun District Local Plan.

HIGHWAYS/PARKING (GEN7, ARUN DISTRICT LOCAL PLAN)

The Highways department of West Sussex County Council have no objection to the proposed dropped kerb. It is considered that the new crossover should not interfere with the existing layby or the existing street lighting column. The visibility splays for the crossover can be achieved wholly within highway land and other crossovers in Southfields Road appear to be operating safely according to latest accident records. There are two conditions relating to visibility splays and the area of hardstanding where there is currently grass verge which have been proposed in this recommendation.

It is considered that dropped kerb is acceptable in highway safety terms and complies with policy GEN7(vii) of the Arun District Local Plan.

It is therefore recommended that the application be approved, 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 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, 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: Location plan, Block plan dated 17-12-2014, Site plan and 3no. photographs submitted with the application form which is signed and dated 06-12-2014.

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 The visibility splay either side of the approved access shall be set at 2.4 x 43 metres and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway and retained in perpetuity thereafter.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No works shall commence until details have been submitted to and approved by the Local Planning Authority regarding the area of hard standing for vehicle parking/access to be constructed in a bound material and these details so approved shall be implemented with the permission and be retained thereafter.

Reason: In the interests of road safety and drainage in accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 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.

- 6 **INFORMATIVE:** The applicant is advised to contact WSCC Highways (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.