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

REF NO: LU/52/23/HH

LOCATION: 66 Horsham Road
Littlehampton
BN17 6DS

PROPOSAL: Drop kerb.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to install a drop kerb.

REPRESENTATIONS

Littlehampton Town Council - Objection:
- The proposal would adversely affect highway safety.

No representations from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways (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 is not contrary to the NPPF (paragraph 111), and that there are no transport grounds to resist the proposal.
- Requested informative relating to the need to obtain a VCO license.

Southern Water - No objection.

OFFICER COMMENTS

Noted. Informative applied.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
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

The key Development Plan policies relevant to this application are D DM1 and T SP1 of the Arun Local Plan.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNP) is also relevant. However, as no other policies within the LNP are relevant, this proposal is in accordance with Policy 1.

DESIGN AND VISUAL AMENITY

The application seeks to install a 6m wide dropped kerb to enable vehicular access to the front of the property. There are similar arrangements to the neighbouring properties and as such is not out of character.

From the plans, there appears to be an area of hardstanding to be proposed within the front of the property. This would allow additional parking and is logical. These works would not likely require planning permission and are not part of this application.

Due to the minor scale of development, the proposal will not result in adverse impacts upon the spatial pattern or character of the area and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the type of development proposed, the application will not result in harm upon amenity by way of overbearing, overshadowing, or overlooking and accord with D DM1 of the Arun Local Plan.

WSCC HIGHWAYS

WSCC Highways have no concerns with the crossover proposed. The development complies with T SP1 of the ALP.

SUMMARY

The development complies with relevant development plan policies and is recommended for approval subject o 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 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.

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 (Plan ref: TQRQM23060121356832).
- Crossover Plan(Plan ref: TQRQM23060123158660).

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: Vehicle Crossover - Minor Highway Works
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-applicationform/

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.