

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

REF NO: M/47/20/HH

LOCATION: Little Thatch
93 Middleton Road
Middleton-On-Sea
PO22 6DW

PROPOSAL: Construct a new site access from Middleton Road.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a site access.

RELEVANT SITE HISTORY

M/37/20/NMA	Non-material amendment following grant of M/133/17/PL for removal of lantern light on rear conservatory and replace with 2 No. fixed skylights, finish external wall of conservatory in face brickwork and replace Cedral Lap system external wall cladding with Cedral click-plank system (no colour change)	Approve 05-06-20
M/133/17/PL	Demolition & erection of 1 No. dwelling to existing ground floor slab.	ApproveConditionally 06-06-18

REPRESENTATIONS

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

W.S.C.C Highways Department - No objection. Request conditions relating to the use of the new access, and the submission of details to remove the existing access.

OFFICERS COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The condition relating to parking details on site will not be applied, in that there is parking existing on site.

POLICY CONTEXT

Designation applicable to site:

Within 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
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

MDS	Middleton-on-Sea Village Design Statement by Middleton PC
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CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

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.

Policy D DM4 sets out criteria for which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

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 a number of driveways in Middleton Road 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 due to the lack of built form associated with the application. The development is in accordance with D DM1(3) of the Arun Local Plan.

TRANSPORT AND PARKING

The development is not considered to result in unacceptable harm to highway safety of the area due to the lack of any built form to obscure views when joining the highway.

It is confirmed by County highways that the applicant will need to make an application for a crossover

license in order to commence this aspect of the development when highway safety is a consideration. The development is in accordance with T SP1 of the Arun Local Plan.

SUMMARY

The 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

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:

- Proposed Site Plan - May 2018
- Proposed New Vehicular Access - Entrance Design Details - DRG No. 108

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 The use of the access shall not commence until the Existing Access has been closed off in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and T SP1 of the Arun Local Plan.

- 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.
- 5 INFORMATIVE: The Local Highways Authority (LHA) advises the applicant 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 the permission of a Vehicle Crossover (VCO) licence.

Please see the following link on details pertaining to the licence application process:
<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->