

Recommendation Report for Planning Permission

REF NO: M/61/17/PL

LOCATION: 19 Meadow Court
Priestley Way
Bognor Regis

PROPOSAL: Installation of a temporary ramp to the front of property to provide access to home & community.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The ramp would be 5.2m long and 1.3 high at its highest point, with a width of 1.4m.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open
SITE CHARACTERISTICS	2 storey blocks of flats in landscaped grounds. Some trees/hedges/borders
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly 2 storey dwellings of varying design

RELEVANT SITE HISTORY

M/120/81	4 one bedroom flats for the elderly - Modifications to Blocks 1-5 inclusive	ApproveConditionally 16-02-1982
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REPRESENTATIONS

Representations received:

Middleton Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area

DEVELOPMENT PLAN POLICIES

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

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

The Form of New Development

D DM1 Aspects of Form and Design Quality

D DM4 Extensions and Alterations to Existing Buildings (residential and non-residential)

D SP1 Design

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

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.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination is due to re-commence in Autumn 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications.

Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Middleton does not have an adopted Neighbourhood Plan

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 the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

DESIGN AND VISUAL IMPACT

The proposed ramp will be positioned to the front of the communal access to the front of the property. However, given its low profile, and limited increased projection forward of the front elevation of the property (only 1.4m) it is not considered that it will result in any unacceptable adverse impact upon the visual amenities or the character and appearance of the surrounding area. It would be screened from direct view from the west by existing fencing.

The modest scale of the ramp will ensure that it does not overwhelm the dwelling frontage and will appear as a clearly subservient feature. The ramp will improve access to the dwelling for its

occupants.

No details of the proposed materials for the hand rail have been included in the application drawings, but they refer to green/brown colour to be confirmed. Either of these colours would be appropriate and it is not considered that condition is necessary in the interests of visual amenity to since the use of any materials or finished would not result in a development that is unduly prominent in the locality given the proposed dimensions .

RESIDENTIAL AMENITY

It is not considered that the proposed ramp will result in any unacceptable impacts upon the amenities of neighbouring residents. The ramp will be raised a minimal height above existing ground level and will therefore not appear overbearing or cause overshadowing whilst it will also not allow users any intrusive views towards the neighbouring property being set in 1m from the site boundary.

CONCLUSION

It is therefore recommended that the application is approved, subject to the following conditions

HUMAN RIGHTS ACT

FOR APPROVAL

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 a positive impact has been identified upon those people with the following protected characteristics:- disability.

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, Block, Existing and Proposed Elevations jb/03/meadowcourt19, Existing and Proposed Access Plans jb/02/meadowcourt19.

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 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.