

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

REF NO: M/83/18/HH

LOCATION: Holly Cottage
Yapton Road
Middleton-On-Sea
PO22 6DT

PROPOSAL: New vehicular access.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This proposal seeks to create a new vehicular access via a dropped kerb to a driveway to the existing dwelling.

RELEVANT SITE HISTORY

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council
No objection
Noted

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC Strategic Planning - Highways:

Suitable parking and turning arrangements were previously submitted to the LHA and we are now satisfied that visibility has been appropriately demonstrated also. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application the following informative should be secured:

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 license 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-application-form/>

Comments from WSCC are noted.

POLICY CONTEXT

Within Built-up Area Boundary

There is no 'made' Neighbourhood Plan for Middleton.

DEVELOPMENT PLAN POLICES

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The application is located within the built-up area boundary where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan 2011-31.

There is no relevant site history.

SITE

The property is a single storey detached dwelling on a residential road of predominantly detached dwellings of various styles. The front elevation of property is situated to the east of the B2132 (Yapton Road) set back 10m from the highway and accessed via a path through a grassed area of garden.

There is an existing driveway to the rear of Holly Cottage accessed via Elmer Road. This proposal seeks a driveway and additional parking area to the front of the property.

DESIGN & VISUAL AMENITY

Currently the garden to the front of the property is a grassed area with a hedge border. The proposal seeks to replace this with permeable paving.

The properties either side of Holly Cottage are both accessed by similar driveways and dropped kerbs and other examples of vehicular crossover are present in Yapton Road. Therefore it is considered that the proposal does not compromise the established character of the area nor have an unacceptably adverse impact upon the visual amenity of the locality.

RESIDENTIAL AMENITY

The property to the south of Holly Cottage, Rose Cottage, is a Grade II Listed building. However, a detached garage sits between the boundary of the application site and the proposed parking spaces and therefore the proposal is not considered to have an unacceptable adverse impact on the neighbouring residential amenity.

HIGHWAY SAFETY

West Sussex County Council have been consulted in relation to the proposed vehicular access and no objections have been raised.

The proposed development is therefore considered to accord with the relevant development plan policies and as such it is recommended that it be approved subject to 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.

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:-

Drawing no. 264/01 Site & Location Plan
Drawing no. 264/02 Proposed Dropped Kerb
Highways visibility splays

Reason: For the avoidance of doubt and in the interests of amenity and the environment in 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 license shall be granted. Additional information about the licence application process can be found at the following web page:
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