

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

REF NO: P/77/14/HH

LOCATION: 32 Oaktree Close
Bognor Regis

PROPOSAL: Extension to existing driveway

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal will increase the length of the driveway by 4 metres.
SITE AREA	Approximately 250 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open frontage.
SITE CHARACTERISTICS	The site is occupied by a detached static home. There is a block paved parking area to the side.
CHARACTER OF LOCALITY	The site is located on a static home park which is characterised by an informal arrangement of static homes clustered around the main access road. The open nature of the development and the gaps maintained between buildings help to create a sense of spaciousness.

RELEVANT SITE HISTORY

REPRESENTATIONS

Representations received:

Pagham Parish Council

Objection: Members were minded to pay due regard to SUDS provisions and EA advice in respect of policy guidelines.

Having regard to the serious flooding of this Estate in 2012, it was felt that particular regard should be paid to this matter although the proposal only related to a comparatively small area. Members therefore resolved to object on the basis of the materials and techniques proposed, and to suggest due contact with the Planning Authority on the part of the applicant to seek a more eco-considerate implementation.

Policy Framework:

ADC Local Plan 2003 (Saved Policy)

Gen 7 (iv) not to have adverse unacceptable impact on adjoining

Gen 11 Informative .. consult EA

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Point 3 hard surfacing or landscaping which might affect onsite drainage .. Known flood risk zones .

Comments on Representations received:

Noted. The extended driveway is to be served by a linear drainage system which will collect surface water run-off. Given the small area covered by the hard standing and the capacity for surface water to be stored, it is not considered that the proposal will lead to increased flood risk.

CONSULTATIONS

Environmental Health

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#) SD SP2 Built-Up Area Boundary

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

PDS	Pagham Parish Council's Village Design Statement by PaghamPC
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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

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: Arundel; Barnham & Eastergate; Felpham.

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

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 are contained within Arun District Local Plan policy GEN7 which seeks to prevent development that would have an unacceptable adverse impact

upon visual and residential amenities.

VISUAL AMENITIES:

The proposed driveway forms an existing hard surfaced parking space and will be surfaced with similar materials. There are other hard standing parking spaces nearby and it is therefore considered that the proposal will be in keeping with the character and appearance of the surrounding area.

DRAINAGE:

The application forms and plans state that the proposed hard surfaced area will be served by a linear drainage system which will provide the capacity store surface water running off from the non-permeable surface. It is considered that this is a sufficient measure to prevent any significant increase in the likelihood of flooding as a result of the proposed development.

SUMMARY:

The proposed driveway extension will not cause any unacceptable adverse impact upon the character and appearance of the surrounding area, nor would it increase flood risk within the vicinity.

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 for 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 it has been determined that its approval would result in a neutral impact 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).

As such, there is no requirement for any mitigation measures to be implemented.

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:-

Site Plan;
Block Plan;
Proposal to extend driveway lengthways as per diagram

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 Details of the linear drainage system to be installed shall be submitted to and approved by the Local Planning Authority prior to development taking place. The driveway shall not be used until the approved drainage system is installed and maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Local Plan.

- 4 **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.