

Recommendation Report for Planning Permission

REF NO: P/98/14/PL

LOCATION: 20 Oaktree Close
Mill Farm Park
Pagham

PROPOSAL: Convert part of north garden curtilage into a car parking space.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The additional parking bay will be sited on the northern side of the park home and will measure approximately 3m x 4.8m.
SITE AREA	Approximately 511 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open to the front with gravel, north side has grassed area with path, south side has parking area with block paving.
SITE CHARACTERISTICS	Static mobile home with front bay window, block paved parking area to the south. The mobile home has dwarf brick walls then rendered elevations painted white, tiled roof with white window frames.
CHARACTER OF LOCALITY	Mobile home site with gaps maintained between buildings which gives it an open and spacious appearance, parking bays for each home to the side. Grassed areas with ornamental trees and shrubs.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Pagham Parish Council

No Objection WITH CONDITIONS

Members were concerned that hard paving or block paviors would inhibit free drainage on the site. This is particularly relevant having regard to the location within the flood zone of the greater portion of the Mill Farm Estate.

The site was badly inundated in 2012. As it is bunded against tidal incursion, drainage

from the site has proven to be problematic.

It was noted that the planning submission stated that the chosen pavoids would be permeable. If that would be satisfactory in the opinion of the Planning Authority, Members felt it should be made a condition in the event of consent.

Comments on Representations received:

Parish Council comments noted

The new parking bay is to be made of porous materials which will allow water to drain away naturally and this is in accordance with the Site Licence. However, an informative will be imposed to this affect.

CONSULTATIONS

Environmental Health

Consultations responses received:

Environmental Health

The Site Licence Conditions should be complied with which is under Point 12 Vehicle Parking.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Right of Way

Area of Special Control for Advertisements

Art 4 Direction

Protected Coastal Area

Overhead Electricity Line

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality	
	D SP1 Design	
	C SP1 Countryside	

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; Bersted; Felpham; Littlehampton; Yapton

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

The application seeks to install an additional parking bay to the front of the mobile home.

The site has a parking bay on the south side and the additional bay is to be sited on a grassed area on the north side of the site. The siting of this bay is located more than 3m from the neighbouring home to the north and complies with the site licence. The existing bay has red brick paving and the proposed parking bay will be of the same appearance and the materials to be used will be porous to allow rain water to soak away naturally and to prevent flooding.

There are several homes that have additional parking bays so it is not considered that the additional parking bay would be out of character and appearance with the surrounding area. The use of porous materials is sufficient to prevent any significant increase in the likelihood of flooding within the vicinity.

It is therefore recommended to approve the application, subject to 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 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 a neutral impact has 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).

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 received on the 13th October 2014.

Location 1:1250, Block 1:500.
Plan A, B, C & D.

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: The applicant is advised to check with the Site Licence Conditions Section 12 Vehicle Parking. The parking bay shall be constructed of porous materials to allow water to drain naturally and to prevent flooding.
- 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.