

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

REF NO: R/19/21/HH

LOCATION: 28 Ash Lane
Rustington
BN16 3BT

PROPOSAL: Installation of a 3m wide drop kerb to enable off road parking.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct a 3m wide drop kerb to enable off road parking at 28 Ash Lane.
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REPRESENTATIONS

No objection from Parish Council.
No representations from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

POLICY CONTEXT

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

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design**PLANNING POLICY GUIDANCE:**

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

CONCLUSIONS**PRINCIPLE**

In this case, the key policies are deemed to be D DM1 and T SP1 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

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.

Arun Local Plan 2011-2031 Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Policy 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The proposed 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 Ash Lane 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 proposed 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 proposed development is in accordance with D DM1(3) of the Arun Local Plan.

TRANSPORT AND PARKING

The proposed 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.

Furthermore, the proposal increases the available parking serving the development, which will reduce on-street parking in the area and alleviating any associated traffic problems.

SUMMARY

The proposed 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

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:
 - Location plan
 - Block plan with crossover

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 **INFORMATIVE:** In addition to obtaining planning permission you 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 licence shall be granted.

- 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.