

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

REF NO: R/61/26/HH

LOCATION: 80 Worthing Road
Rustington
BN16 3LL

PROPOSAL: Dropped kerb vehicle access on to driveway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Rustington Parish Council - No objection.

1 letter of support has been received from a nearby occupier.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways - WSCC in its role as Local Highway Authority (LHA) has been consulted on highway matters by the Local Planning Authority (LPA) for a proposed dropped kerb vehicle access. The site is located on Worthing Road, a B-classified road subject to a speed restriction of 30 mph.

A 5m wide dropped kerb is proposed on Worthing Road fronting the property, facilitating access to off-street parking. The plans demonstrate suitable visibility splays of 2.4m x 43m in both directions as per Manual for Streets (MfS) visibility parameters.

The proposed access works will be subject to a licence obtained from WSCC, and constructed to a specification agreed with a WSCC Highway Area Engineer (I attach a relevant informative note below on how to start this process).

On-site turning does not appear achievable within the site boundary, so cars may have to exit the site onto the maintained highway in a reverse gear. However, this is not anticipated to give rise to a highway safety concern, owing to suitable demonstrated vehicular visibility either side of the proposed access, as well as good forward visibility along Worthing Road in this location.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site includes a semi-detached, end of terrace dwelling fronting on to Worthing Road. The proposal is for a dropped kerb and new vehicular access.

Currently, the frontage is laid with hardstanding, large enough to accommodate two policy compliant (5m X 2.5m) parking spaces. During a site visit, it is clear that works have begun to re-lay part of the frontage and remove the existing boundary wall. The dropped kerb would have a width of approximately 6.13m, with splayed corners.

Dropped kerbs are common along Worthing Road, on both sides of the road. While there are no double yellow lines or parking restrictions on either side of the road, the additional on-site parking space would alleviate pressure on a busy highway.

The proposal would not result in harm to visual amenity and would reflect the existing street scene, in accordance with Arun Local Plan policy D DM1.

NEIGHBOURING RESIDENTIAL AMENITY

The dropped kerb would not result in harm to residential amenity in that it would not result in any overlooking, overbearing or overshadowing effects on neighbouring properties. Many neighbouring properties have a similar arrangement, with driveways to the front and as such, the proposal would not result in any additional noise and disturbance. The proposal is therefore in accordance with Arun Local Plan policy D DM1.

HIGHWAYS

WSCC Highways have been consulted on this application and have confirmed that the introduction of the dropped kerb to allow vehicular access onto the road would not have an unacceptable impact on highway safety or a severe cumulative impact on the operation of the highway network. The applicant will need to make an application for a crossover license before commencing with the proposal.

The proposal would regularise and increase on-site parking and, as the proposal would not have an unacceptable impact on highway safety; the proposal is in accordance with Arun Local Plan policy T SP1.

SUMMARY

The proposed development is in accordance with the relevant development plan policies and as such is recommended for approval 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

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.

CIL DETAILS

This application is not CIL liable.

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 and Block Plan DPA 01
- Block Plan DPA 02
- Visibility Splay DPA 03
- Sketch Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and T SP1.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 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 site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence 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-vehicle-crossovers-for-driveways-licence/>

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.