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

REF NO: **Y/35/15/HH**

LOCATION: 4 Maypole Caravans
Maypole Lane
Yapton

PROPOSAL: Replacement of door steps with disabled access steplift, replacement front door

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed steplift with ramp measures approximately 5.5m maximum in length, maximum depth of 1.8m with a maximum height of 1.5m.
SITE AREA	Approximately 130 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Raised bank to east side with fencing and hedging, front and rear boundaries have fencing with hedging approximately 1.8m-2m in height.
SITE CHARACTERISTICS	Mobile home with external steps and entrance on western side, raised wooden decking to rear with wooden shed. Paved hardstanding to west for parking of vehicle.
CHARACTER OF LOCALITY	Semi-rural area with Longacre Park Mobile Home to rear, Maypole Public House to front south of site. Open fields to the east of site.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

Representations received:

Yapton Parish Council

Yapton Parish Council
No objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:
None
Comments on Consultation responses:
None

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary
Area of Special Control for Advertisements
Overhead Electricity Line
Drainage Area
Public Sewer On Site

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
Publication Version of the Local Plan (October 2014):	C SP1	Countryside
	D DM1	Aspects of Form and Design Quality
	D DM4	Extensions and Alterations to Existing Buildings (residential and non-residential)
	D SP1	Design

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

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: Angmering, Arundel; Barnham & Eastergate; Bersted, East Preston, Felpham, Ferring, Kingston, Littlehampton, Rustington and Yapton.

The Yapton Neighbourhood Development Plan has been made but in this instance it is not considered that there are any relevant policies that apply.

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 a disabled access ramp and steplift to the mobile home.

The entrance door to the unit is located on the western side and is currently accessed by external steps. The applicant has significant mobility problems and to provide easy access to the unit it is proposed to install a steplift with ramp which will carry a wheelchair user and pedestrian. The existing entrance door is to be removed and a wider door installed with the steplift being constructed adjacent to the door and along the western side. The new landing area would be constructed of solid masonry faced in brickwork and fitted with metal handrails and the steplift being sited adjacent to the landing area will provide level access to the unit.

Whilst the steplift will be visible from the front of the site it is considered that this will have a minimal impact on the garden and surrounding area.

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 positive impact has been identified upon those people with the following protected characteristics (disability).

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 24th March 2015.

Location 1:1250.
Block 1:500.
Existing and Proposed Floor & Elevations 1:100 Drg No JHB/15/327/92 Revision O dt 10.3.15.
Details of steplift with photos.

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: 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.