

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

REF NO: Y/78/18/HH

LOCATION: Florabunda
Bilsham Road
Yapton
BN18 0JN

PROPOSAL: Vehicular access

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks permission for vehicular access to the property.

RELEVANT SITE HISTORY

Y/25/16/DOC	Application for approval of matters reserved by condition imposed under Y/104/15/HH relating to condition 4 for surface water drainage.	DOC Approved 18-05-16
Y/104/15/HH	Rear extension	ApproveConditionally 15-02-16

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Yapton Parish Council
Yapton Parish Council provided no objection.
No representation from nearby occupiers.

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection but request conditions related to the submission of visibility splays. Full Comments are available online.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Lidsey Treatment Catchment.

DEVELOPMENT PLAN POLICES

DDM1 D DM1 Aspects of form and design quality

SDSP2 SD SP2 Built-up Area Boundary

DSP1 D SP1 Design

[Yapton neighbourhood plan 2014 Policy BB1](#) Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

The proposed development is situated within the built up area boundary where the principle of development is acceptable subject to accordance with relevant development plan policies. As stated in SDSP2 the key policies considered are DDM1 of the Arun Local Plan.

Yapton has a 'made' Neighbourhood Plan with BB1 of relevance to the application.

The site is occupied by a detached bungalow dwelling.

DESIGN AND VISUAL AMENITY

Many surrounding properties have vehicular parking to the front of their properties and as a result the proposal is not out of character for the area. The property is set back from the road with around 13m retained to the front boundary. The proposal would not result in any adverse change to the appearance of the dwelling within the street scene and as such it is not considered to give rise to any adverse impacts upon the spatial pattern or character of the area and accord with DDM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The creation of vehicle access it not considered to harm neighbouring amenity by way of overshadowing or overbearing and as such accords with DDM1 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development policies and as such is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

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
- Site Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.
- 3 No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Bilsham Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with policies DDM1 of the Arun Local Plan.
- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reasons: To provide car parking space for the use and in accordance with DDM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the approved site plan.
Reasons: In the interests of road safety and in accordance with policies DDM1 of the Arun Local Plan.
- 6 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 the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence will 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-crossovers-for-drivewayslicence/>
Online applications can be made at the link below, alternatively please call 01243 642105.
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-drivewayslicence/vehicle-crossover-dropped-kerb-construction-application-form/>
- 7 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.