

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

REF NO: Y/7/21/HH

LOCATION: 14 East Bank
North End Road
Yapton
BN18 0DJ

PROPOSAL: New vehicular access.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct a dropped kerb for vehicular access to the property.

REPRESENTATIONS

Yapton Parish Council provided no objection.

No representation received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - VCO's are normally wider at the kerbside and taper back towards the drive. Details of this can be secured via condition. MfS guidance states that, Vehicle exits at the back edge of the footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at minor accesses will encourage drivers to appear more cautiously. Following this guidance, the LHA raises no concerns over the lack of the details. The LHA appreciate that the proposal could see the removal of up to 3 cars from the highway, in an area that currently has on street parking pressures. The LHA does not consider that this proposal would have an unacceptable impact on highway safety.

An attempt was made to contact WSCC to discuss the details of what was required in the condition, however there was no response.

It is not considered the condition is necessary, WSCC raise no concerns over the absence of the wide visibility splays.

ADC Drainage - Due to the scale and type of development, there are no conditions to request.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DSP1	D SP1 Design
TSP1	T SP1 Transport and Development

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 key policies considered are D DM1 of the Arun Local Plan.

Yapton has a made Neighbourhood Plan with policy BB1 of relevance to the application. The proposal complies with this policy.

DESIGN AND VISUAL AMNEITY

The proposed dropped kerb will run along the front of the property.

There are other dropped kerbs operating within the vicinity and as such it is not considered out of character.

Due to the minor scale of development, the proposal is not considered to result in adverse impacts upon the spatial pattern or character of the area and accord with D DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

Due to the type of development proposed, the proposal is not considered to harm amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 of the Arun Local Plan.

TRANSPORT AND PARKING

WSCC have examined the proposal and would not anticipate that the proposal would generate a highways safety concern at the proposed access and it therefore accords with policy TSP1 of the 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

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
- Plans 2020-01D

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:** 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.