

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

REF NO: BR/27/26/HH

LOCATION: 95 Longford Road
Bognor Regis
PO21 2TA

PROPOSAL: Dropped kerb and new vehicular access.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Bognor Town Council - No objection.

No representations received from nearby occupiers.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

West Sussex County Council Highways - This proposal is for a dropped kerb and new vehicular access. The site is located on Longford Road, a B-classified road subject to a speed restriction of 30 mph.

From inspection of the plans, there are no apparent visibility concerns with the proposed access point. The proposed access works including relocation of existing bollard would be subject to a licence obtained through the local WSCC Highway Area Office and constructed to a specification agreed with the local WSCC Highway Area Engineer.

I note that under current Highway Area Office guidance for Vehicle Crossovers (VCOs), licences are only granted for accesses with hardstanding depths of at least 4.8m. The submitted plans demonstrate a hardstanding depth of 3.27m, which is too small to accommodate a parking space of 2.4m x 4.8m. Therefore, the applicant should be advised that a licence for the proposed access works is unlikely to be granted.

VCOs have been permitted in the past which are less than the current minimum of 4.8m. Unfortunately, in some instances this has led to potential issues with cars overhanging pavements and vehicles undertaking several manoeuvres across a pavement to access a hardstanding. To ensure this does not occur again, the Highway Area Office no longer permit any VCOs with less than 4.8m hardstanding depth.

Therefore, whilst no highway safety concerns would be raised for the proposals, the applicant should be made aware that they are unlikely to be granted a licence for the proposed access works, as the proposals are contrary to current WSCC Area Office policy.

To conclude, 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 at planning stage. However, as mentioned above, the proposals are contrary to Highway Area Office guidance and as such, is likely to be refused a licence and therefore not implementable. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

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 dwelling on the western side of Longford Road. The proposal is for a dropped kerb and new vehicular access. The front garden is entirely hardstanding, measuring 3.27m in depth and 7.2m in width, therefore lacking the depth to accommodate a policy compliant parking space as per West Sussex County Council Guidance or the parking standards described in the Arun Design Guide (ADG).

A small section of fencing would be retained on the south-western corner; the rest of the front boundary would be left open for ease of access from the highway.

There are a number of dropped kerbs along Longford Road, but these usually serve dwellings with larger frontages or formal driveways. There are also examples of frontages similar to that at the host dwelling being used as informal parking spaces, but with no dropped kerb.

Double yellow lines run along the entirety of the western side of Longford Road, so there would be no loss of on street parking as a result of the works. Stretches of single yellow lines and restricted parking areas run along the eastern side of Longford Road, which do not appear to sufficient to accommodate adjacent dwellings. As such, the proposed dropped kerb would not result in harm to visual amenity.

The proposal would not result in harm to the character of the area or visual amenity, in accordance with Arun Local Plan (ALP) 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. As previously stated, there are nearby dwellings with formal driveways and Longford Road itself is a Class B road next to a railway line; any noise arising from the use of the new access would be similar and less intense than

existing noise levels. The proposal is therefore in accordance with ALP policy D DM1 in regard to neighbouring amenity.

HIGHWAYS

WSCC Highways have been consulted on the application, raising no objection to the granting of planning permission in terms of safety or cumulative highway impacts. They have stated, however, that a Vehicle Crossover License is unlikely to be issued, owing to the size of the frontage / proposed parking space, which is not compliant under either WSCC legislation or ADG guidance. The proposal is therefore broadly in accordance with ALP policy T SP1, and the concerns raised by WSCC would not justify the refusal of planning permission in this regard. Notwithstanding this, an informative is attached to this planning permission to advise the applicant that a licence to carry out the works is required from WSCC and this is unlikely to be granted, given the limited depth of the application site frontage.

SUMMARY

The proposed development is broadly 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 Plan, Block Plan and Site / Splay Plan - Sheet 1b

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: West Sussex County Council Highways have advised that a Vehicle Crossover Licence is unlikely to be granted due to the size of the frontage, which could not accommodate a policy compliant parking space. This would mean the planning permission hereby granted could not be implemented.

- 6 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.