

Recommendation Report for Planning Permission

REF NO: LU/12/22/PL

LOCATION: Wick Information Centre
76 Wick Street
Littlehampton
BN17 7JS

PROPOSAL: New vehicular cross over. This site is in CIL Zone (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks a new vehicular access onto an A-classified road with a 30mph speed restriction at the front of the property.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	The boundary of the property at which the proposed vehicular access is located features a low brick and stone wall that is approx. 1m in height. There is a separation of approx. 3m in this wall at the location of the proposed vehicular access which would allow the access of vehicles onto the property.
SITE CHARACTERISTICS	Community Building.
CHARACTER OF LOCALITY	Residential.

REPRESENTATIONS

Littlehampton Town Council - No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council (WSCC) Highways:

- There are no apparent visibility issues with the proposed point of access on to Wick Street.
- The provision of a second access will have a benefit of moving vehicular movements away from the nearby pedestrian crossing.

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 111), and that there are no transport grounds to resist the proposal.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary.

2km Buffer for Site of Special Scientific Interest.

DEVELOPMENT PLAN POLICIES

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

DSP1	D SP1 Design
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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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 that regard highway safety and appropriate design.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(aza) a post examination draft neighbourhood development plan, so far as material to the application,

- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Policy T SP1 of the Arun Local Plan seeks to ensure development provides safe access on to the highway network, contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking.

Para 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users".

Para 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Policy D SP1 of the Arun Local Plan seeks to ensure proposals are informed by sustainable design which includes the following factors: inclusivity, adaptability, security, attractiveness and usability, health and wellbeing and climate change mitigation.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Arun has adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale, massing and materials. Section F relates to transport frameworks specifically.

DESIGN AND VISUAL AMENITY

Within the street scene, there are other similar examples of properties with vehicle crossovers and as such there will be limited and acceptable impact upon the visual amenity of the locality. The proposal is appropriate in scale, massing and materials. It will, therefore, not have an unacceptable adverse impact upon the character or spatial pattern of the area and accord with D DM1 of the Arun Local Plan and the Arun Design Guide.

NEIGHBOURING RESIDENTIAL AMENITY

The improved access to the Information Centres car park is also considered to be beneficial for public access and use of the site. Furthermore, due to the type of development proposed, it is not considered to result in adverse impacts by way of overbearing, overlooking or overshadowing and accord with D DM1(3) of the Arun Local Plan.

HIGHWAY SAFETY

The existing car park the proposal seeks to provide access to has 2 No. entrances with only one featuring a vehicle crossover (drop kerb). This allows reasonable access by vehicle through one entrance. The proposal would allow the second entrance to be used efficiently by vehicles and as such, would improve the accessibility into and out of the car park. This is considered an improvement to the usability of the property and as such is informed by sustainable design.

In agreement with the comments from WSCC Highways, the low wall boundary treatment and surrounding built form allows for suitable visual sightlines. Additionally, the second point of access will move vehicular traffic in and out of the site away from the nearby pedestrian crossing to the South down the street. This proposal will improve safety for pedestrian movements and has suitable visual access. Section F of the Arun Design Guide states that transport frameworks should 'ensure the safety of all road users through traffic calming, separation of transport modes and dedicated crossing points' and as such, the proposal is compliant with this section F of the Arun Design Guide.

The proposal is considered to comply with relevant development plan policies D DM1, D SP1 & T SP1 of the Arun Local Plan, relevant paragraphs 110(b) & 111 of the National Planning Policy Framework and Section F of the Arun Design Guide.

SUMMARY

By virtue of fitting in with the locality, improving the usability of the site, improving the safety of local pedestrian movements and having no unacceptable impact on Highway Safety, the application 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:

- POSITION OF PROPOSED WORK ON SITE (01/02/22)

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: Vehicle Crossover - Minor Highway Works**
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 shall be granted.
- 4 **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.