

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

REF NO: LU/44/20/HH

LOCATION: 84 Southfields Road
Littlehampton
BN17 6PB

PROPOSAL: New vehicular access & driveway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

Objection on the grounds that it would have an adverse effect on highway safety by virtue of the fact that the application site was opposite a busy junction and considered dangerous. It was also considered detrimental to the residential amenity of the area due to the loss of verge and footpath.

No representation from nearby occupiers.

CONSULTATIONS

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways:

The applicant has demonstrated a drop kerb below the maximum WSCC standards of 6.4 metres.

The applicant has provided visibility splay's at the new access point. These however, are not to standards and should extend to the nearside carriageway. The Local Highways Authority (LHA) does however observe that the road has a 'C' classification with a low speed limit and traffic flow.

Vehicles exiting 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 emerge more cautiously, similarly to how vehicles pull out when visibility along the carriageway is restricted.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore there is no evidence to suggest that the new access would operate unsafely.

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

POLICY CONTEXT

Within built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1 and T SP1 of the Arun Local Plan.

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.

Policy T SP1 requires that the access does not have a negative safety impact on the local highway.

DESIGN AND VISUAL AMENITY

Within the street scene, there are other examples of properties with vehicle crossovers and as such there will be little impact upon the visual amenity of the locality. It is not considered to have an unacceptable adverse impact upon the character or spatial pattern of the area and accord with D DM1 of the Arun District Plan and Policies 1 and 2 of the Littlehampton Neighbourhood Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed installation of a dropped kerb and driveway is not considered to give rise to any unacceptable adverse harm to the residential amenity and is considered to be in accordance with D DM1 of the Arun Local Plan.

HIGHWAY SAFETY

Although the expert highway advice is that the access does not meet manual for street advice the speeds along this road and lack of recorded accidents means that this deficiency is not such that it would warrant refusal of the application.

On balance therefore there is compliance with policy T SP1 of the Arun Local Plan with regards to highway safety.

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.

CIL DETAILS

N/A

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: Block Plan dated 19 Feb 2020 & drawing no. KWS19

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 The use of the access shall not commence until the parking area has been constructed in accordance with the approved site plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy TSP1 of the Arun Local Plan.

- 4 The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved site plan.

Reason: In the interests of road safety in accordance with policy TSP1 of the Arun Local Plan.

- 5 **INFORMATIVE: Vehicle Crossover - Minor Highway Works**

The Local Highways Authority (LHA) advises the applicant 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 the permission of a Vehicle Crossover (VCO) licence.

Please see the following link on details pertaining to the licence application process:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

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-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

- 6 **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.