

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

REF NO: M/135/18/HH

LOCATION: 98 Elmer Road
Middleton-On-Sea
PO22 6LJ

PROPOSAL: To extend the dropped curb across the whole of the driveway at front of the house to enable additional off-street parking

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposed application seeks to widen the existing dropped curb across the whole of the front driveway.

RELEVANT SITE HISTORY

M/114/17/HH	Single storey rear extension, single storey front/side infill extension with painted render & boarding, extensions and alterations to first floor to increase the height of the property, alterations to the roof design & removal of entrance porch at front to increase parking area.	ApproveConditionally 02-03-18
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Middleton Parish Council
Parish Council - No objection.

1 letter of objection from local occupier:

- Takes up a lot of community parking space.
- Removes provision for local shops and facilities.
- Less parking for visitors and residents in the area.

CONSULTATIONS

Southern Water Planning
Engineers (Drainage)
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

Council's Drainage Engineers - No objections. However, the application should be mindful of the location of the location of the drainage culvert.

Southern Water - No objections.

W.S.C.C Highways - Advice

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

This proposal is for the widening of the existing vehicle crossover (VCO) at 98 Elmer Road. The site is located on Elmer Road, a C-classified road subject to a speed limit of 30mph.

The provided plans indicate that the site currently benefits from an existing 4.2m VCO. The plans propose to widen this across the whole site frontage to a total width of 13.2m. A licence will be required for the proposed VCO works onto Elmer Road. The applicant should be aware that the Local Area Engineer is unlikely to grant a licence for a VCO of wider than 6.4m in this location.

The applicant has provided a visibility splay plan however this has been drawn in only one direction at the proposed access and has been drawn to a distance of 70m. Manual for Streets sets out a minimum stopping sight distance of 43m at a distance of 2.4m back from the carriageway edge for a 30mph road. An inspection of WSCC mapping indicates that these splays are achievable at this location are maintainable wholly within the Highway Boundary.

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 accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing access is operating unsafely or that the increase in width of the VCO would exacerbate an existing safety concern.

A parking layout plan has not been provided, however the proposed plan indicates that a number of vehicles would be able to park on the site frontage as result of this proposal. A turn on site would be preferred however; there is insufficient space on site to accommodate this and this appears to be the existing practice in this location which has been operating for some time without evidence of safety concern. The parking area should be constructed from a hardbound material. If the applicant intends to construct the parking area from gravel, a gravel trap or area of block paving, or other bound material, should be provided at the point of access onto Elmer Road (on land within the applicant's control; not within the publicly maintained highway).

Conclusion

In conclusion, the LHA does not consider that this proposal would have 'severe' impact 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. However, as mentioned above, the applicant should be aware that a licence for a VCO of greater width than 6.4m is unlikely to be granted in this location.

If the LPA are minded to approve the application, the below condition and informative should be applied. I am mindful of the use of pre-commencement conditions; as such the suggested wording below is anticipated to be acceptable.

Conditions

Access

- The use of the access shall not commence until such time as the parking area has been constructed in accordance with the details shown on the drawing titled Ground Floor and numbered 18/10/29.

Reason: In the interests of road safety.

Car Parking Space

- The use of the parking area shall not commence until such time as the vehicular access serving the dwelling has been constructed in accordance with the details has been provided shown on the drawing titled Ground Floor and numbered 18/10/29. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

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. 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-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-application-form/>

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICES

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policy is deemed to be D DM1 of the Arun Local Plan.

Policy SD SP2 of the Arun Local Plan states that development should be focused within the Built Up Area Boundary, and will be permitted subject to consideration against other policies in the 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.

DESIGN AND VISUAL AMENITY

The property already has an existing hard standing for parking and a dropped kerb, with the application seeking to widen this crossover. Within the street scene, a high majority of properties have vehicle crossovers and as such there will be little impact upon the visual amenity. It is not considered to have an unacceptable adverse impact upon the character or spatial pattern of the area and is resultantly considered to be in accordance with D DM1 of the Arun Local Plan.

NEIGHBOURING REIDENTIAL AMENITY

The proposed widening of an existing vehicle crossover 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.

HIGHWAYS & PARKING

Whilst it is noted that the proposed development would result in the loss of parking within the locality, W.S.C.C. Highways have raised no objections to the application, in that it would not have a severe impact on the safety of the highway in the area. Additionally, whilst there would be a loss of parking on the street, as a result of the residential character of the area, it is likely that the driveway would be used to park cars that otherwise, would be parked on the street.

The application is considered to be in accordance with T SP1 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

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.

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:

- Proposed Block Plan - 98 Elmer Road, Bognor Regis
- Proposed Ground Floor - 18/10/29
- Visibility Splay - OI1174610

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 Access

The use of the access shall not commence until such time as the parking area has been constructed in accordance with the details shown on the drawing titled Ground Floor and numbered 18/10/29.

Reason: In the interests of road safety.

- 4 Car Parking Space

The use of the parking area shall not commence until such time as the vehicular access serving the dwelling has been constructed in accordance with the details has been provided shown on the drawing titled Ground Floor and numbered 18/10/29. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

- 5 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 shall be granted. Additional information about the licence application process can be found at the following web page:

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- 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.