

P/118/06/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	- Vehicular access for driveway and use of front garden 170 Nyetimber Lane, Rose Green
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Construction of a cross-over from Nyetimber Lane to the front of No.170 with on-site provision made for parking of vehicles.
SITE AREA	Approximately 253m ² .
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Small hedge row along front boundary consisting of low-significance shrubs is proposed for removal.
BOUNDARY TREATMENT	Front boundary consists of 1.2m high wooden paling fence with shrubs along it.
SITE CHARACTERISTICS	The site is an irregular rectangle with a single storey semi-detached bungalow. There is complex of 15 garages located discreetly to the rear which service the subject site and surrounding dwellings and pedestrian access is provided from this complex to the rear of the site.
CHARACTER OF LOCALITY	A predominantly residential area characterised by bungalows with simple small front gardens.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
P/48/70	Conservatory	Permitted Development 12-05-70

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Pagham Parish Council	Objection on grounds that: <ul style="list-style-type: none"> The access is too close to the roundabout which raises concerns about road safety. If approved, the application will set an undesirable precedent. There is already a discreet court yard and lock up garage facility at the rear of these dwellings.
Local Groups	None
One letter of objection	There are two large manhole covers and a gas inspection box where the proposed drive will be and there is already a garage to the rear of the house.

CONSULTATION RESPONSES

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CONSULTEE	SUMMARY OF RESPONSE
County Highways	<p>Objection on grounds that:</p> <ul style="list-style-type: none"> • The front garden is insufficient in size to allow on-site turning and as visibility close to the intersection is substandard, vehicles reversing from the site would create a hazard to other users of the public highway. • Given the close proximity to the roundabout, vehicles exiting the roundabout may encounter a vehicle manoeuvring onto the driveway which could be a hazard given the substandard forward visibility from the roundabout. • Appears that site has existing garage to the rear which is in close proximity to the site and is therefore considered to be sufficient.
Southern Water	No objection

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Inside Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV1, NE17
Arun District Local Plan : GEN2, GEN7

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to highway safety and visual residential amenity.

COMMENT ON CONSULTATION RESPONSES

Agreed

COMMENT ON REPRESENTATIONS RECEIVED

Agreed

ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

<p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-</p> <p><i>"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."</i></p> <p>The proposal is considered to conflict with relevant Development Plan policies in that it would pose a potential threat to the safety of pedestrians and vehicles using Nyetimber Lane, Pagham and there is already sufficient off-street parking available for the site.</p>
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P/118/06/**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposed driveway is located approximately 22.0m from the roundabout forming the intersection of Nyetimber Lane and Tabard Gate. As such, vehicles manoeuvring to and from the proposed driveway would most likely cause traffic hazards for vehicles heading both east and west. The proposed driveway is therefore considered to create a potentially dangerous traffic hazard.

Notably, the dwelling currently benefits from access to a garage to the rear. The complex of garages serving the subject site and neighbouring properties is located approximately 16m from the rear of the subject site and as such, is considered to provide sufficient vehicular access and storage.

It is noted that there are no other similar driveways or on-site parking to the front of any of the surrounding properties. The small size of the properties and their front gardens places greater emphasis upon the presence of the gardens to soften the appearance of the streetscape thus improving the overall character. It is considered that removal of the existing landscaped area and replacement with a paved area for parking would be seriously detrimental to the appearance of the streetscape, particularly if the application were to set a precedent and neighbouring properties were to apply to develop the same. The result would be a dull streetscape dominated by hard paved surfaces which is considered to be unacceptable. However, it is recognised that the applicant can pave the front garden of the site under Permitted Development rights (in accordance with the Town and Country Planning (General Permitted Development) Order 1995. While this is not considered a desirable outcome for any residential site, it cannot be a reason for refusal in this instance.

Having regard to the potentially dangerous traffic and pedestrian conditions resulting from the proposal in addition to the sufficient off-street parking provision already available for the site, it is considered that the application should be refused for the reasons set out overleaf.




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Vehicular access for driveway and use
of front garden.

170 Nyetimber Lane
Rose Green
Bognor Regis

RECOMMENDATION

Refuse

- 1 The formation and use of the proposed access to the public highway (Nyetimber Lane, Pagham) at this point which is in close proximity to the roundabout to the east would add to the hazards of highway users to an unacceptable degree in conflict with policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.
- 2 The site cannot accommodate adequate facilities to enable vehicles to turn on the site and so enter and leave the highway in forward gear in the interests of road safety, in conflict with policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

