
PLANNING STATEMENT

Applicants:	Mr Ruarie Farrelly and Mrs Emily Farrelly
Proposed Development:	Change of use from public amenity to private residential garden together with boundary works
Application Site:	Land at the rear of 71 The Causeway Bognor Regis PO21 4PQ

1. INTRODUCTION AND BACKGROUND

- 1.1. This Planning Statement has been prepared on behalf of Mr & Mrs Farrelly who are the registered freehold owners and occupiers 71 The Causeway Bognor Regis PO21 4PQ. The Application Site is situated immediately to the rear of their property adjacent to Ashcroft Way and for which land they are also the registered freehold owners.

Proposed Development

- 1.2. The proposed development concerns the change of use of the Application Site from public amenity to private residential garden together with associated boundary works for a new 1.8 metre wall ("the proposed development").
- 1.3. The brick wall would be consistent with the existing side and rear boundary wall of 71 The Causeway to the north of the Application Site. The existing rear boundary wall of the property would be demolished and replaced by this new brick wall with the private garden area of the dwellinghouse enlarged. No further development works are proposed.
- 1.4. As will be further discussed below, the proposed development does not impact visibility for users of the highway and preserves the existing characteristics of the local street scene and area.

Application Site History

- 1.5. The estate housing within The Causeway and Ashcroft Way Bognor Regis were constructed in or about 1960s. Ashcroft Way is a short cul-de-sac road off of The Causeway with the Application Site being a public amenity grassed area situated at the rear of 71 The Causeway.
- 1.6. The Application Site together with the carriageway and footway of Ashcroft Way are recorded and maintained as highway maintainable at public expense by West Sussex County Council in their capacity as local highway authority.
- 1.7. A similar planning application for the material change of use to private garden has been submitted by the owners and occupiers of 69 The Causeway which neighbours the Application Site. If both planning applications are granted then both 69 and 71 The Causeway will have

similar enlarged private gardens with the highway and public amenity area bordering the new boundary of 71 The Causeway.

- 1.8. It is acknowledged that planning permission does not authorise any works to a highway. It is therefore further acknowledged that in the event planning permission is granted for the proposed development then the highway rights over the Application Site will need to be first extinguished in accordance with an application made under section 247 of the Town and Country Planning Act 1990 (ie. prior to implementation of any granted permission). Such S247 applications are separate and not a material consideration to planning applications, and their merits are determined by the relevant decision maker (ie. the Secretary of State for Transport for outside Greater London).

Planning Issues

- 1.9. There are two key planning issues to be considered in relation to the proposed development and for which each have been separately addressed below. These are: (a) a highway impact assessment; and (b) an amenity impact assessment.

2. HIGHWAY IMPACT ASSESSMENT

- 2.1. The relevance of highway safety to development proposals is set out *inter alia* at paragraphs 110 and 111 of the revised National Planning Policy Framework published July 2021 (NPPF). In particular paragraph 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”.

- 2.2. The proposed development is not creating a new access to the Application Site nor parking on the Application Site. Accordingly, the relevant material planning consideration from a highway perspective concerns whether the proposed development causes an impact on highway safety.
- 2.3. The Application Site is situated away from the junction between The Causeway and Ashcroft Way and given its location at the rear of 71 The Causeway has no impact on visibility and sight lines of the highway. There are no proposed new accesses to the highway, nor is the Application Site required for any existing accesses. It is therefore contended that there will be no impact to highway safety from the proposed development.
- 2.4. It is again acknowledged the highway rights over the Application Site will need to be extinguished prior to implementation of any granted permission in accordance with an application made under section 247 of the Town and Country Planning Act 1990.

3. AMENITY IMPACT ASSESSMENT

- 3.1. Paragraph 130 of the NPPF provides, as relevant to the proposed development, that developments should (amongst other things):

- (a) be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - (b) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; and
 - (c) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 3.2. The above national policy is reflected within the council's Policy D SP1 and Policy D DM1 of the Local Plan 2018 which requires development to be of high quality design and to be well related in size, scale and character to its surroundings.

Design and Impact on the Street Scene

- 3.3. The Application Site is situated at the rear of 71 The Causeway adjacent to Ashcroft Way. The properties along this area are characterised by a consistent boundary line with hard fenced or walled rear boundary lines up to the highway.
- 3.4. Ashcroft Way includes an existing footway which remains unaffected. Additionally, a reasonable grass verge will remain so as maintain a character of soft landscaping within this area.
- 3.5. Accordingly, the proposed development will be consistent with, and sympathetic to, the wider design characteristics of the estate and in particular the characteristics of the immediate adjoining properties. It is therefore not considered that it will adversely impact on the amenity of the street scene.

Neighbour Amenity

- 3.6. The Application Site immediately neighbours 69 The Causeway. As mentioned above, a similar planning application has been submitted for that property. The two areas are proposed to be separated by a wooden fence on that property at a height of approximately 1.8 metres.
- 3.7. The Application Site is historically unused by neighbouring residents. Therefore, the proposed development will not impact them
- 3.8. Accordingly, it is contended that there will not be any adverse impact of the neighbouring amenity of this property.

4. PLANNING ASSESSMENT & CONCLUSION

- 4.1. For the reasons and assessment set out above it is contended that the proposed development is acceptable in planning terms and that the planning permission, with the appropriate planning conditions, should be granted.

HCR Hewitsons LLP
September 2021