For official use only (date received): 13/10/2019 17:55:36

The Planning Inspectorate

HOUSEHOLDER PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents must reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/Y3805/D/19/3239058

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mrs Laura White

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☐ No ☑

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Adur District Council
LPA reference number	AWDM/1405/19
Date of the application	03/09/2019

Did the LPA issue a decision? Yes ☑ No ☐

Date of LPA's decision	09/10/2019

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☑ No ☐

Address	21 Stoney Lane SHOREHAM-BY-SEA BN43 6LA

Is the appeal site within a Green Belt? Yes ☐ No ☑

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☑

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☐ No ☑

Please enter details of the proposed development. This should normally be taken from the planning application form.

Vehicular access at 21 Stoney Lane, Shoreham

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development. ☑
2. Refused permission to vary or remove a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☑

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☑ No ☐

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☑ No ☐

Please explain.

The reason for refusal was in contrary to the recommendation by the council to approve.

Reason for Refusal: The formation of the vehicular access will have an adverse impact on the character and appearance of the area and would make it difficult to resist other similar proposals that cumulatively would be detrimental to the environment of the area. However, the Planning assessment states: The hedging to the front of the properties along the side of the road does not run as far north as No.21. The grass bank is also less steep here. Consquently, the formation of a vehicular access at this point would not have a significant visual impact or cause harm to the character of the area. In addition, there is no objection from WSCC Highways

2. Hearing ☐

3. Inquiry ☐

H. GROUNDS OF APPEAL

The grounds of appeal are:

☑ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your grounds of appeal? Yes ☐ No ☑

Have you made a costs application with this appeal? Yes ☐ No ☑

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☑

Owner's Name: Adur District Council
Date the notice was served: 03/09/2019

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding. ☑

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the application form sent to the LPA. ☑

02. A copy of the LPA's decision notice. ☑

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☑

L. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form, the personal details form and any supporting documents (including the full grounds of appeal) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your forms
- locating your local planning authority's email address:

  https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council
- attaching the saved forms including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

M. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	GROUNDS OF APPEAL
Document Description:	The grounds of appeal
File name:	Planning Appeal 13.10.19.docx
File name:	LJW1.jpg
File name:	LJW2.jpg
File name:	LJW3.jpg
File name:	LJW5.pdf
File name:	LJW6.pdf
File name:	Report Recommendation.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application form sent to the LPA.
File name:	Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. A copy of the LPA's decision notice.
File name:	Planning Refusal.pdf

Completed by	MRS LAURA WHITE
Date	13/10/2019 17:56:13

LJW 1



LJW 2



LJW3



ADUR DISTRICT COUNCIL

LJW4

Mr Craig Matthews
Flat 16 Gorham Court
Gorham Way
Telscombe Cliffs
BN10 7BB

PLANNING REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/1405/19

Details of Development
VEHICULAR ACCESS

Location of Development
21 STONEY LANE SHOREHAM-BY-SEA WEST SUSSEX BN43 6LA

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 3rd September 2019.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

[redacted]

Gary Peck
Planning Services Manager
09/10/2019

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Reasons for Refusal

01. The formation of the vehicular access will have an adverse impact upon the character and appearance of the area and would make it difficult to resist other similar proposals which cumulatively would be detrimental to the environment of the area. The proposal is therefore contrary to policies 15 and 30 of the Adur Local Plan.

Informatives / Notes to Applicant

01. For the avoidance of doubt this refusal relates to the following drawings/plans:-

Reference/Drawing Number	Version	Date Rec
SITE LOCATION & BLOCK PLAN	Drg No 1019-001A	20.09.2019
EXISTING & PROPOSED PLANS & SECTIONS	Drg No 1019-002B	20.09.2019

02. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

EXISTING SITE PLAN
SCALE 1:100

PROPOSED SITE PLAN
SCALE 1:100

EXISTING SECTION A-A
SCALE 1:100

PROPOSED SECTION A-A
SCALE 1:100

1:100 0M 1M 2M 3M 4M 5M

rev	description	date
A	PLANNING DRAWING	19.09.18
B	PLANTING STRIP ADDED	19.09.18

PLANNING

PROPOSED NEW 3 BEDROOM DWELLING AT 21 MAY AVENUE, SHOREHAM-BY-SEA BN43 6HB

EXISTING AND PROPOSED PLANS

drawing no	3190/01
scale	1:100
date	19-09-18
drawn	KCH

MAP

drawing no 3190-01/02

THIS DRAWING IS COPYRIGHT
DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE ANY WORK IS COMMENCED OR ANY ITEMS ARE MANUFACTURED OFF SITE. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT IMMEDIATELY. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONSULTANTS AND SPECIALISTS DRAWINGS AND SPECIFICATIONS. ALL CONSTRUCTION WORK IS TO COMPLY WITH CURRENT BUILDING REGULATIONS AND ALL RELEVANT BRITISH STANDARDS AND CODES OF PRACTICE. ALL WORKMANSHIP AND MATERIALS ARE TO BE OF A GOOD QUALITY AND FIT FOR THEIR PURPOSE. ALL WORK IS TO BE CARRIED OUT BY COMPETENT AND SUITABLY QUALIFIED PERSONS. ALL HEALTH AND SAFETY REGULATIONS ARE TO BE OBSERVED ON SITE AT ALL TIMES.

A	PLANNING SUBMISSION	19.09.18	
rev	description	date	

client	MR A TAYLOR
project	51 STONEY LANE, SHOREHAM-BY-SEA BROADBRIDGE HEATH, WEST SUSSEX PROPOSED DROPPED KERB
drawing title	SITE LOCATION & BLOCK PLAN
scale	1:1250 @A3 / 1:500 @A3
date	30-08-18
drawn	MC
drawing no.	1018-001/A

PLANNING AND DESIGN

Application Number: AWDM/1405/19 **Recommendation – APPROVE**

Site: **21 Stoney Lane, Shoreham-by-Sea, BN43 6LA**

Proposal: **Vehicular access.**

Applicant: Ms Laura White Ward: Southlands
Case Officer: Eve Hearsey



Not to Scale

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Proposal, Site and Surroundings:

The proposal seeks permission for a vehicular access at 21 Stoney Lane, on the east side of the Lane opposite the junction with Kingston Close.

The property is a two storey semi-detached dwelling. Most properties on the east side of the road, between 23 and 69 Stoney Lane, sit above the level of the road and are separated from the road by a grassed bank containing a hedge. However, No.21 sits to the north of the hedge line and the grass bank is less steep in this location.

Another application for a vehicular access has been submitted for no. 35 Stoney Lane and is to be considered at this committee.

Both properties are owned by Adur District Council.

Relevant Planning History:

SU/171/91 – Vehicular access at No.45 – refused

SU/47/98 – Vehicular access at No.45 – approved

SU/66/99 – Vehicular access at No.69 – refused for the following reasons:

1. The proposal does not make provision for adequate visibility at the junction of the access with the carriageway of the highway and would be detrimental to highway safety
2. The proposal, in order to provide the requisite visibility, would require the removal of a section of the long-established hedge on the roadside bank which forms an attractive feature of the locality. Such hedgerow removal would detract from the streetscape and make it difficult to resist other similar proposals which cumulatively would result in the loss of the hedge and be detrimental to the environment of the area.

Consultations:

West Sussex County Council: The comments of the **Highways** Officer are to be reported

Representations

To be reported

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 28, 30
National Planning Policy Framework (February 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

Policy 15 of the Adur Local Plan states that development should respect the existing natural features of the site and should make a positive contribution to the sense of place, local character and distinctiveness of an area. It should have safe access to the highway network and not result in harm to highway safety.

Policy 30 states that green infrastructure will be protected and enhanced.

Visual Amenity

The hedging to the front of the properties along this side of the road does not run as far north as No.21. The grassed bank is also less steep here. Consequently, the formation of a vehicular access at this point would not have a significant visual impact or cause harm to the character of the area.

For this reason, it is considered that the application can be supported as it would not result in the loss of the hedging that characterises this stretch of the road. In this respect it is materially different from the application at No.35, considered elsewhere on this agenda.

The plans originally showed the entire front garden replaced with permeable block paving. In order to soften the appearance of the parking area amended plans have been requested and received showing a planting strip retained at each side of the garden.

Highway Safety

The proposed access does not cross a steep bank in this case and the gradient is therefore considered to be acceptable in highway safety terms. Visibility appears to be sufficient at this location but the comments of the Highway Authority were still awaited at the time of writing. An update will be provided at the meeting.

Recommendation

Subject to there being no objection from WSCC Highways, APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard time limit
3. The use of the car parking area shall not commence until such time as the vehicular access has been constructed in accordance with the details shown on the approved plans

4. 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 approved plans

Informative Vehicle Crossover – Minor Highway Works

7th October 2019

Planning Services, Adur & Worthing Councils

Portland House,
44 Richmond Road,
Worthing,
West Sussex,
BN11 1HS

Tel : 01903 221065
websites : www.adur.gov.uk or www.worthing.gov.uk
e-mail : planning@adur-worthing.gov.uk

Householder Application for Planning Permission for works or extension to a dwelling.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	21
Suffix	
Property name	
Address line 1	Stoney Lane
Address line 2	
Address line 3	
Town/city	Shoreham-By-Sea
Postcode	BN43 6LA

Description of site location must be completed if postcode is not known:

Easting (x)	523412
Northing (y)	105914

Description

2. Applicant Details

Title	
First name	Laura
Surname	White
Company name	
Address line 1	21, Stoney Lane
Address line 2	
Address line 3	
Town/city	Shoreham-By-Sea
Country	

2. Applicant Details

Postcode	BN43 6LA
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

3. Agent Details

Title	Mr
First name	Craig
Surname	Matthews
Company name	
Address line 1	Gorham Court, Flat 16
Address line 2	Gorham Way
Address line 3	
Town/city	Telscombe Cliffs
Country	United Kingdom
Postcode	BN10 7BB
Primary number	07808288693
Secondary number	
Fax number	
Email	craig@mapltd.design

4. Description of Proposed Works

Please describe the proposed works:

Proposed dropped kerb with new driveway

Has the work already been started without consent? ( ) Yes (•) No

5. Materials

Does the proposed development require any materials to be used? (•) Yes ( ) No

Please provide a description of existing and proposed materials and finishes to be used (including type, colour and name for each material):

Vehicle access and hard standing	
Description of existing materials and finishes (optional):	uneven slab pathway hedges, grass & grass verge

5. Materials

Vehicle access and hard standing	
Description of proposed materials and finishes:	tar mac dropped kerb & block paving driveway that is to be permeable paving allowing surface water to drain

Are you supplying additional information on submitted plans, drawings or a design and access statement? • Yes ○ No

If Yes, please state references for the plans, drawings and/or design and access statement

1013-001 Site and Location Plan
1013-002 Existing and Proposed Plans

6. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development? • Yes ○ No

If Yes, please mark their position on a scaled plan and state the reference number of any plans or drawings:

1013-002 Existing and Proposed Plans

Will any trees or hedges need to be removed or pruned in order to carry out your proposal? • Yes ○ No

If Yes, please show on your plans, indicating the scale, which trees by giving them numbers (e.g. T1, T2 etc) and state the reference number of any plans or drawings:

1013-002 Existing and Proposed Plans
T1 - Tree 1
T2 - Tree 2
T3 - Tree 3

7. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? • Yes ○ No

Is a new or altered pedestrian access proposed to or from the public highway? • Yes ○ No

Do the proposals require any diversions, extinguishment and/or creation of public rights of way? • Yes ○ No

If Yes to any questions, please show details on your plans or drawings and state their reference numbers:

1013-001 Site and Location Plan
1013-002 Existing and Proposed Plans

8. Parking

Will the proposed works affect existing car parking arrangements? • Yes ○ No

If Yes, please describe:

currently there are zero parking spaces on the driveway and one parking space on the current road, this will provide two additional parking spaces on the proposed driveway and remove one parking space off the road with the new dropped curb

9. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? • Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- • The agent
- ○ The applicant
- ○ Other person

10. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ● No

11. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent. ○ Yes ● No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

12. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE B - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant of any part of the land or building to which this application relates.**

*** 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant	adur district council
Number	
Suffix	
House Name	portland house
Address line 1	richmond road
Address line 2	
Town/city	worthing
Postcode	bn111lf
Date notice served (DD/MM/YYYY)	01/08/2019

Person role

○ The applicant
● The agent

Title	Mr
First name	Craig
Surname	Matthews
Declaration date (DD/MM/YYYY)	28/08/2019

☑ Declaration made

13. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☑

Date (cannot be pre-application)	28/08/2019