Expiry Date - 28/03/2017

Development Control – Delegated Officer Report

Application Number: AWDM/0173/17 Recommendation – APPROVE

Site: 58 Cokeham Road Sompting Lancing West Sussex

Proposal: Non-Material Amendment to planning permission AWDM/1421/14 for amendments to width and location of dropped kerb for permitted vehicular crossover (to avoid relocation of the bus stop).

Date of site visit: 22/10/14

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site relates to a semi-detached bungalow located on the north side of a classified 30mph road and within a primarily residential area. There is a parade of local shops opposite. Many of the dwellings on this road have dropped kerbs, crossovers and drives to their frontage amenity areas. A bus stop and shelter are positioned on the footpath immediately outside the dwelling.

Permission was granted under AWDM/1421/14 for a vehicle access involving the re-siting of the bus stop. An amendment to that permission is sought which would involve the retention of the bus stop in its current position.

Since the decision on AWDM/1421/14 the former front garden has been surfaced using compacted hard-core with a raised planter adjacent to the common boundary with the attached bungalow. This appears to be a temporary measure – the approved drawings show part of the frontage would be paved or surfaced with tarmacadam draining onto a small lawn area.

Consultations

WSCC: The Local Highway Authority has raised no objection in principle commenting:

"The proposal is for the amendment to the width of the dropped kerb. The amendments would see the kerb access to the dwelling in close proximity to an existing bus stop. The Local Highway Authority (LHA) acknowledge the Parish Councils comments about the close proximity to the bus stop, however the proposal will serve one dwelling which will typically attract 4-6 movements per day. Given this low generation of traffic it is unlikely that this access would detrimentally affect the operation of the bus stop. Finally the LHA have

checked the most recently available accident data and according to our records there have been no recorded accidents within the vicinity of this point of access.

On that basis the LHA would not have an objection to these proposals subject to a condition that no development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing."

Representations: Sompting Parish Council neither objects nor supports the application but expresses concern about the proximity of the access to the bus stop and local shops.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

Section 96A of the Act allows a non-material amendment to be made to an existing planning permission via an application procedure. There is no statutory definition of 'non-material'. This is because it is so dependent on the context of a particular scheme – what may be non-material in one context may be material in another. In order to grant an application a local planning authority must be satisfied that the amendments sought are non-material.

In assessing applications for a non-material amendment the Government's National Planning Practice Guidance states that the local planning authority must have regard to the effect of the change, together with any previous changes made under s.96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. In this case, the neighbours on either side have been notified of the proposed amendments to the approved scheme, but no representations have been received.

As this is not an application for planning permission s.38 (6) of the Planning Act 2004 does not apply. However, the extent to which the proposed amendments comply with the relevant Development Plan policies is a material consideration.

Visual Amenity

There are numerous similar examples of hard-standings on the frontages of properties in this road and it is not considered that the proposal would result in any material harm to the street scene. However, an informative should be attached reminding the applicant that the development should be carried out in accordance with the approved plan which shows that surface water from the hard-standing will drain onto a section of grass lawn.

Highway Safety

The concerns of the Parish Council concerning the potential dangers arising from the proximity of the access to the existing Bus Stop and comings and goings in connection with the nearby shopping parade are noted. However, in the absence of any objection from the Highway Authority on highway safety grounds it would be difficult to substantiate refusal.

Recommendation

APPROVE

The amendment to the vehicle access shown on the Proposed Block Plan (Amendment to the Original Permitted Plan AWDM/1421/14) received on 28.02.2017 is not material and can be substituted for the Detailed Block Plan received on 16.10.2014 approved under AWDM/1421/14 and subject to the wording below being substituted for condition 3.

3. No use of the vehicular access shall take place until a satisfactory kerb and pavement crossing between the boundary of the site and the adjoining carriageway has been constructed in accordance with the approved drawing.

Informative

1. The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

2. The applicant is reminded that the development shall be carried out in accordance with the approved drawing which shows that surface water will drain from the hard-standing onto a grass lawn area.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jo Morin Date: 28.03.2017

Authorised by: Gary Peck Date: 28 March 2017