Development Management – Delegated Officer Report

Application Number: AWDM/0109/17 Recommendation – APPROVE

Site: 99 Gardner Road Southwick

Proposal: Vehicular crossover and dropped kerb for parking in front garden (including the removal of tree on grass verge.)

Date of site visit: 7.03.17

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site relates to an end of terrace two storey dwelling house in a street of similar within the Gardner Road Southwick. As existing there is a completed hardstand to the front of the dwelling. This off street parking provision cannot be utilised as the dropped kerb does not exist there is a grass verge and a mature street tree directly beyond the point of access there is also street signage that may need to be moved.

Permission is sought for a vehicular access from the highway to the property. This involves a dropped kerb and access across the grass verge, the removal of the street tree and signage relocation. The highway matters outside of the application site are not for consideration here.

Consultations

WSCC: The Highway Authority has commented as follows:

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.

I refer to your consultation in respect of the above planning application and would provide the following comments.

This application seeks the implementation of a dropped crossing vehicle crossover to provide an off street car parking provision for 99 Gardner Road, Southwick. The principle of dropped crossing access points seems to have been well established on Gardner Road and no highway safety or capacity concerns would be raised to the principle of the proposal.

Implementation will require the removal of a highway tree fronting the site. I have sought additional Highways Arboricultural advice and they have summarised that they would recommend the retention of the tree but the loss of the tree is not something that could be resisted on balance.

The removal of the tree, relocation of highway signage and implementation of the vehicle crossover must be done so under licence, with agreement, and to a specification obtained from WSCC Highways.

In summary the Highways Authority would not be minded to raise any objections to this proposal. If the LPA are minded to grant planning consent the following condition and informative note would be advised:

Condition

Access
The car parking area shall not be utilized until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.
Reason: In the interests of road safety.

Informative

Minor Highway Works
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. This includes this relocation of highway signage and removal of a highway tree for which there will be additional costs.

Representations: Chris Jones – Shoreham Harbour Regeneration Partnership – objects to this proposal.

Relevant policies

National Planning Policy Framework: Paragraphs 109, 118
Planning Practice Guidance: Paragraphs: 8-027, 8-028, 8-032
Adur District Local Plan 1996: Policy AN4
Submission Adur Local Plan 2016: Policies 15, 31, 32
Draft Shoreham Harbour Joint Area Action Plan 2016: Policies SH7

Summary

Shoreham Harbour Regeneration Partnership objects to this proposal. The proposed dropped kerb would require the removal of a healthy, mature tree. This is contrary to a number of national and local policies. If the Council is minded to approve the proposal this should be conditional on the provision of replacement tree planting that will ensure a net gain to biodiversity in the long term.

Key Issues

Paragraph 109 of the **National Planning Policy Framework** states that the planning system should contribute to and enhance the natural and local environment by:

- recognising the wider benefits of ecosystem services
- minimising the impacts on biodiversity and providing net gains to biodiversity where possible.

The Forestry Commission has produced research which demonstrates that street trees provide a range of ecosystem services. These include:

- carbon sequestration
- temperature regulation
- air purification
- natural and landscape connections

Whilst the loss of an individual street tree may seem insignificant, this tree is part of a network of trees and other green infrastructure. The loss of an individual tree increases the risk of fragmentation of the green infrastructure network and reducing its ability to provide those services.

Green infrastructure is the network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Paragraph 8-027 of the **Planning Practice Guidance**, includes street trees in this definition. Paragraph 0-28 states that Green infrastructure provides multiple benefits at a range of scales, for the individual, for society, for the economy and the environment. It states that green infrastructure should be a key consideration in planning decisions.

Policy 15: Quality of the Built Environment and Public Realm of the **Submission Adur Local Plan 2016** states that development should respect the existing natural features of the site, including trees, and contribute positively to biodiversity.

Policy 31: Green Infrastructure of the **Submission Adur Local Plan 2016** states that green infrastructure will be protected and enhanced and the ecological characteristics of the area will be taken into account in order to maximise biodiversity benefits.

Policy SH7: Natural environment, biodiversity and green infrastructure of the **Draft Shoreham Harbour Joint Area Action Plan 2016** states that there should be no net loss of biodiversity, and that all development must seek to provide a net gain to biodiversity.

The removal of the healthy, mature tree as part of the proposed redevelopment would clearly be inconsistent with these national and local policies. However there is no proposal for mitigation of compensation of the loss of biodiversity, green infrastructure or ecosystem services. The proposal should therefore be refused.

If the Council is minded to approve the proposal, this should be conditional on the provision of replacement street trees. There is provision for such a condition in both national and local policy:

Paragraph 118 of the **National Planning Policy Framework** allows for the provision of compensatory measures. Paragraph 8-032 of the **Planning Practice Guidance** allows for planning obligations and conditions to secure this.

Policy AN4 of the **Adur District Local Plan 1996** states that the Council will seek to secure benefits to nature by imposing conditions on planning permissions where appropriate. Policy 32: Biodiversity of the **Submission Adur Local Plan 2016** states that the Council will use planning conditions or obligations to provide appropriate compensatory measures.

Recommendation

Shoreham Harbour Regeneration Partnership recommends that this application is refused as it is contrary to national and local policies above. The applicant has not demonstrated that the benefits of this development outweigh the loss of biodiversity, green infrastructure and ecosystem services. If approval is granted, this should be with the following condition:
"To compensate the loss of the healthy, mature tree, the applicant is required to provide specimen (semi mature) trees as replacement and arrange for these to be planted by a suitably qualified person. These shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Council and landowner."

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (CLG 2012)
Manual for Streets (2007)

Planning Assessment

Residential amenity

There would be no significant impact on residential amenity as a result of the proposed vehicular access. Many other adjacent dwellings have off street parking which can result in improvements to congestion and parking problems within the adjacent highway.

Visual amenity

The formation of a vehicular access would result the existing hard surface being utilised providing off street parking. The works that have already taken place on site are permitted development. There are many examples within close proximity of the site of other vehicular accesses, including the adjacent dwellings either side of the site. The proposal would therefore not appear unduly out of place and will not result in any significant harm to the character of the site or surroundings.

Highway safety
The Highway Authority has given the advice set out above. The application is therefore considered acceptable in terms of highway safety. This is subject to the standard condition as referred to above.

Other Matters

It is noted that the proposal will give rise to the loss of a mature street tree. The above representation objects to this loss for the reasons stated above. West Sussex County Council's arboricultural advice is that the retention of the tree would be recommended but it is not something that could be resisted on balance. It is concluded that this matter is outside the boundaries of the application site and is therefore not a matter that can be controlled here as part of this application by the Local Planning Authority. It would not be reasonable or justifiable to refuse the application on this ground. Nor could a condition or informative be attached to request that a replacement tree be planted elsewhere. This is a matter for West Sussex Highways Authority to consider and pursue with the applicant as they see fit.

Recommendation

Approve

Subject to Conditions:-

1. Standard time limit 3 years
2. Permission relates to approved plans
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. The requisite specification can be obtained from the Area Highway Engineer, Coastal Team, Community Development and Big Society, Communities and Infrastructure Directorate, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex, BN13 2QB. There shall be no drainage of surface water from the property onto the highway.

Informatives:

1. 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.

2. The applicant is advised to contact the Community Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

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

Case Officer: Hannah Barker Date: 21st March 2017

Authorised by: Jo Morin Date: 22.03.2017