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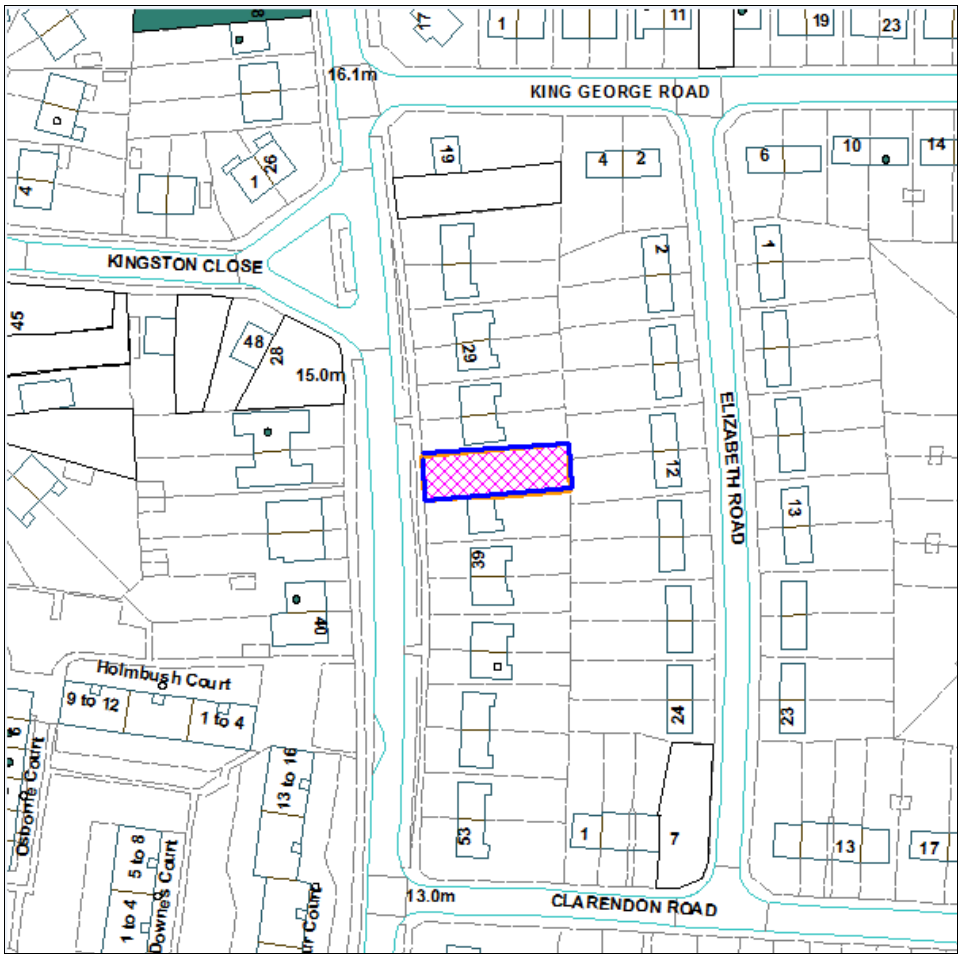
Application Number: AWDM/0854/19 **Recommendation – REFUSE**

Site: **35 Stoney Lane, Shoreham-By-Sea**

Proposal: **Proposed vehicular access and hard surfacing.**

Applicant: Sabrina Giuri 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 to be formed at no. 35 Stoney Lane, Shoreham-by-Sea. A parking area is proposed within part of the front garden.

The property is a two storey semi-detached dwelling. This property and its neighbours 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. No. 45 has a vehicular access gained through the bank, with the hedge being removed at this part. There are also a couple of sets of pedestrian steps up the bank and through the hedge.

Another application for a vehicular access has been submitted for no. 21 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 ***Highways*** Officer has made the following comments:

This application is for a proposed vehicular access (VCO) and hard surfacing. The site is located on Stoney Lane, a C-classified road subject to a speed limit of 30mph.

The proposed access will be approximately 4m wide at the carriageway edge. The access will be subject to a licence from the Area Engineer and will be required to be constructed to a specification agreed with them. The provided plan indicates that the proposed gradient of the access will be 23.2%, equivalent to 1:4.3.

The gradient is steeper than the recommended maximum gradient of 1:15 for a vehicular access. The applicant should be aware that this could present issues in

usability of the access and potentially in construction. The gradient of the access may result in vehicles grounding whilst entering and exiting the site. These issues are anticipated to be a detail/licensing issue however. The Area Engineer has been consulted and as part of the licence application would expect demonstration that vehicles would not cause damage to the highway or footway in this location. The applicant should be aware that a license could be refused if the detailed arrangements were considered unacceptable.

Visibility appears to be sufficient at this location and splays are achievable wholly within the highway boundary. Some trimming back of the existing highway hedge may be required to ensure sufficient visibility at the access. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing road network is operating unsafely or that the addition of a VCO would exacerbate an existing safety concern.

The proposed hard standing appears to accommodate parking for at least 2 vehicles. A turn on site would be preferred however this may not be achievable due to the site constraints. The LHA would not anticipate any highway safety concerns to vehicles reversing onto the public highway in this location.
Conclusion The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. As mentioned above, the applicant is advised that the proposed crossover is subject to a licence which may not be granted should the detailed arrangements be considered unacceptable.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

Access 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 drawing titled Existing and Proposed Plans and Sections. Reason: In the interests of road safety.
Car Parking Space 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 the drawing titled Existing and Proposed Plans and Sections. These spaces shall thereafter be retained at all times for their designated purpose. Reason: To provide car-parking space for the use
Informative Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence

shall be granted. Additional information about the licence application process can be found at the following web page: https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/ Online applications can be made at the link below, alternatively please call 01243 642105. https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Representations

Letter of support received from the occupier of 37 Stoney Lane:

- Parking has become more difficult recently. Therefore I support this application.

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 is unusual as it blocks access, both vehicular and pedestrian, to the houses on the east side of this stretch of road. Whilst there are a

couple of places where there is a break in the hedge, with concrete steps within the bank and a vehicular access at No.45, this side of the road is characterised by the bank and hedge with the houses set back and above the road, behind the hedge.

The formation of a vehicular access will necessitate the removal of a section of hedge adjacent to where there is an existing gap, thereby widening the gap. The bank is quite steep at this point and a 4m wide crossover will have a harmful visual impact. It should be noted that an application in 1999 for a similar proposal at No.69 Stoney Lane was refused due to the visual impact that arise from the loss of the hedge. It is likely that more hedging will be required to removed/cut back to increase visibility at the current proposed access.

For this reason, it is not considered that the application can be supported as it would result in the loss of a section of hedge and would set a precedent for further applications which would cumulatively result in the loss of the hedge to the detriment of the visual amenities of the locality.

Accessibility and parking

West Sussex Highways have advised that the gradient is steeper than the recommended maximum gradient of 1:15 for a vehicular access and that this could present issues in usability of the access and potentially in construction. Ultimately, a highways licence could be refused. However, no highway objection is raised.

Recommendation

REFUSE for the reason:

The proposal 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. The proposal is therefore contrary to policies 15 and 30 of the Adur Local Plan.

7th October 2019