# Development Management - Delegated Officer Report

**Application Number: AWDM/0145/21 Recommendation – APPROVE**

**Site: 28 Busticle Lane, Sompting, BN15 0DJ**

**Proposal: Enlargement of existing vehicular access from 4.8m to 6.4m and associated hardstanding.**

**Date of site visit:** Assessment has been assisted using the Applicants plan and photos; Earthlight mapping; and Google 3D of the site

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Site and Surroundings:**

The property is a semi-detached bungalow, situated on the east side of Busticle Lane. The land has a slight rise to the dwelling from the highway. Busticle Lane comprises predominantly semi-detached bungalows on the east side of the road, with two storey dwellings on the west side plus three storey block of flats.

Many properties within the street have existing vehicular accesses, as too has the application site. Many cars are parked within the road.

**Proposal:**

The application seeks permission to widen the existing vehicular access to their property by a further 1.6m in width, making a total width of 6.4m, and to tarmac the whole of the front amenity area of the property for car parking purposes. As the tarmac is non-porous, a drainage water gully and soakaway will be provided within the front amenity area of the dwelling.

**Representations:** Lancing Parish Council:

- Although the Council has no objection to this application, it has expressed a concern that the materials specify a non-porous tarmac and it must be mindful that adequate drainage be provided.

**Consultations: WSCC Highways:**

1st Consultation
Following amendment, the application now proposes a 6.4m vehicular crossover (VCO), the LHA are satisfied with these details.

The applicant proposes to tarmac over a grass bank. The LHA wishes to state that this bank is located within the public highway and outside the remits of the VCO license. Therefore the LHA requests that this part of the proposal is removed from the application. This can be done either prior to determination or via a suitable

worded condition, *"The use of the car parking space(s) shall not commence until the vehicular access has been constructed in accordance with plans **to be** submitted to and approved in writing by the LPA."*

The applicant also has not supplied visibility splays at the new access point, however, the LHA raises no concerns over the lack of these details.

2nd Consultation with further information from applicants
The LHA have previously provided comments. These comments still stand after review of the new documents provided. This said, upon request the LHA have provided 'Stopping Up' details for the applicant to review if they wish.

We can confirm the land subject of this application is within the public highway. Upon review of the plans provided, the proposal will not reduce the width of the existing Footway arrangements or interfere with existing levels of visibility.

The applicant should note that working in the highway or highway boundary without a licence is an offence.

Prior to commencement, the Public Highway in question must first be 'Stopped Up' and have its highway rights extinguished.

These dealings are under a Section 247 of the Town & Country Planning Act 1990, and are dealt with by the Department of Transport National Transport Casework Team.

The LHA advises the applicant that the granting of planning permission does not guarantee that a 'Stopping Up' application, which will be subject to additional consultation, will be successful.

No highway safety or capacity concerns have been identified because of the proposal. In conclusion the land in question is publicly maintained highway.

The LHA advises the LPA that if they are mindful to permit the above application than to attach the following informative regarding the contact of the DFT National Transport Casework Team.

**Relevant History:**

**S/19/04/TP** Vehicular access **Approved 10.05.2004**

**Relevant Planning Policies and Guidance**

Adur Local Plan 2017 Policy 1, 15
Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework 2019

**Planning Assessment**

**Principle**

The proposal comprises a widening of an existing vehicular access to the dwelling which is located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the surrounding area.

**Visual & Residential Amenity**

There are many vehicular crossovers within this street, and many are narrower than proposed here, thus allowing the use of vegetation, which not only is a visual improvement within the street, it also contributes to the drainage of surface water run-off.

Conversely, there are also some crossovers that are the full width of the property, they abut a neighbouring property with a full width vehicular crossover. Further, these properties have also totally hardsurfaced their front amenity areas. The end result being a large extent of hardsurfacing devoid of vegetation, and a situation that means that on-street car parking has been removed from use.

The application for the vehicular crossover is to the maximum width allowable by the LHA and the grass verge to the north of the crossover will be maintained. However, the 2nd grass section, which is positioned directly abutting the applicants front boundary wall, and is within the ownership of WSCC. This grass is shown removed on the application and tarmacked over. The LHA has pointed out that this removal will need a licence from WSCC, which is separate from this application. Meaning that without this licence the proposal cannot continue in the same guise as applied for.

The application for the widening of the crossover can be considered by the LPA, but if approved the applicants will need to undertake an application for a licence for all the works shown of the Highway land an or a ‘Stopping Up’ notice i.e. the grass removal and the application of tarmac thereof.

The other consideration the LPA can look to determine, is the hardsurfacing of all the front amenity land of the site. It is considered that whilst the total hardsurfacing of the land is regrettable, in light of what is currently on the land i.e. virtually all concrete and shingle, it is considered acceptable. In line with government guidance they have shown a drainage channel at the front of the site, this will prevent water running off the site onto the public highway.

In conclusion, it is not considered that the additional 1.6m width of the existing crossover will result in a demonstrable loss of existing residential and visual amenity to the locality, and in view of the existing materials on the front amenity area, its replacement with tarmac and a drainage channel and soakaway is considered to be acceptable.

The grass stretch abutting the boundary of the property which is shown to be removed and replace by tarmac, will be a separate application to the LHA under a

licence, and ‘Stopping Up’ notice and therefore is not being considered here, as it is outside the powers of the LPA.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans
2. Standard time limit
3. Car parking space(s)

**Informatives:-**

1. Approved following amendment
2. Highway licence
3. Highway stopping up

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

Case Officer: Eve Hearsey Date: 14.05.2021

Authorised by: Peter Barnett Date: 14 May 2021