Development Management - Delegated Officer Report

Application Number: **AWDM/01178/15**

Recommendation – Refuse

Site: 38 Bushby Close, Sompting

Proposal: Change of use of grass verge to garden area; formation of vehicle access and hardstanding within front garden

Date of site visit: 8 September 2015

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site relates to a terrace house located on the south side of Bushby Close. There is a communal lawn in front of the terrace and flats which are to the north. The road has a 30mph speed limit and there is on street parking and parking bays available although these are limited. To the west No.34 and 35 have parking within the front garden area.

Permission is sought to change the use of part of the communal grassed area to allow for the formation of a vehicular access and parking in the front garden area. The vehicular access and parking area would be finished in concrete blocks and would have drainage to a soakaway set beneath the former grass verge area. There is an existing pathway that serves the application site and neighbouring houses and this would be retained with vehicles crossing over the path to access the new driveway. An area of grass would be retained either side of the new driveway.

Relevant site history
None relevant

Consultations

WSCC: The Highway Authority has commented as follows:

The application site does not appear to be on Highway land but within an Adur Council owned Housing Estate. However the Local Highway Authority (LHA) would still wish to provide the following advice.

The proposed crossover is in a cul-de-sac location crossing a grass area to serve no. 38 Bushby Close. It should be noted that there is a street lighting column within this land that the applicant will have to contact WSCC Street Lighting Department in relation to its relocation.

The LHA has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There has been a serious collision in vicinity to the site between a pedal cycle and car. Part of the reasons cited includes

stationary/parked vehicles blocking visibility. It would be a benefit to Highway safety to remove two vehicles off the road in a location where heavy on-street parking occurs.

From an inspection of the plans the parking arrangement shown does not appear possible in terms of manoeuvring. The applicant is advised to reconsider the parking plan to a more practical design.

Informative
The applicant is advised to contact the WSCC Street Lighting team (01243 642105) to discuss the process associated with the relocation of the street lighting column. The applicant would be responsible for meeting for all reasonable costs associated with this process.

Southern Water have commented that should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Representations

Two representations received raising the following concerns:

- loss of the grassed area as an amenity space
- safety concerns with vehicles reversing near the neighbouring flats
- safety of children using the pathway
- loss of on street parking for other residents
- loss of street lighting
- loss of general amenity, trees and landscaping

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), notably para 56, 64
Manual for Streets (2007)

Planning Assessment

The application site is within a housing development of two storey flats and houses that are set around a sequence of communal green spaces. The application site faces onto one of these spaces which is predominantly lawned with some fairly large shrubs on the eastern side and a planted bed adjacent to the entrance to the flats opposite. This communal lawn and garden appears well maintained and provides an attractive setting to the terrace, the flats opposite and contributes positively to the visual amenities of the wider streetscene. The change of use to garden land for the private use by No.38 would on its own result in a potential loss of coherence to this space and loss

of general amenity to neighbouring occupiers who might otherwise use this space for recreation purposes, but in addition the removal of the grassed area and formation of a hardstanding to provide a vehicular access would result in an unacceptable loss of communal amenity space and introduction of a large expanse of hard surfacing which would be out of character and detrimental to the visual amenities of the site and surrounding properties. Furthermore the proposals, if approved, would set a harmful precedent for the loss of other green spaces in the street which would be detrimental to the visual amenities of the wider streetscene.

Whilst the proposals may result in the creation of off street parking, the Highway Authority is not satisfied that the arrangement shown is possible in terms of manoeuvring space and any of street parking provided would likely be offset by the loss of on street parking where vehicles appear to use the head of this cul-de-sac for parking.

Recommendation

Refuse for the reason:-
The proposed change of use to garden land and subsequent introduction of hard surfacing to provide vehicular access and parking would, by reason of the loss of an attractive area of amenity land, represent an unacceptable form of development to the detriment of the landscape setting of the streetscene, to the amenities of neighbouring occupiers and to the visual amenities of the site and surrounding area. The proposal would therefore fail to comply with saved policies AG1 and AH7 of the Adur District Local plan and the policies of the National Planning Policy Framework.

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.
- Drawing number 100715 Sheet 1, 2, and 3 received 4 August 2015 and unnumbered site location plan received 26 August 2015.

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

Case Officer: Rebekah Smith Date: 28 September 2015

Authorised by: Peter Barnett Date: 29 September 2015