Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/1399/13

Site: **185 Brighton Road, Lancing**

Proposal: **Amendment to planning permission ADC/0642/07 to facilitate new vehicular access to 185 Brighton Road and retain vehicular access to 185A Brighton Road.**

Date of site visit: 7 January 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application seeks an amendment to the planning permission granted under reference ADC/0642/07 to facilitate a new vehicular access to 185 Brighton Road and retain vehicular access to 185A Brighton Road.

The previous permission was for the 'Subdivision of chalet bungalow into 2 semi-detached chalet bungalows (1 x 3-bed and 1 x 1-bed) including extension on SE corner, enlargement of roofs and new shared access to A259 (existing access closed)'. The subdivision has taken place, but the conditions attached to the permission were not discharged and as such the permission was not lawfully implemented and has now lapsed. It also transpired that the access works proposed under the previous application were impossible to implement. Accordingly, therefore, this application seeks permission for the development as a whole with a revised access arrangement.

Relevant site history

Planning permission was granted in 2008 for the Subdivision of chalet bungalow into 2 semi-detached chalet bungalows (1 x 3-bed and 1 x 1-bed) including extension on SE corner, enlargement of roofs and new shared access to A259 (existing access closed (Application reference ADC/0642/07)

Consultations

West Sussex County Council Highways:

Original comments:

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

West Sussex County Council was consulted previously on Highway Matters for this location under planning applications ADC/0448/07 and ADC/0642/07. The former

application was refused on highways safety ground concerning vehicle parking and turning arrangements. A solution was found under ADC/0642/07 whereby a shared access was created centrally within the plot adjoining Brighton Road (A259); this provided each dwelling with two car parking spaces and extinguished the existing access. It was accepted that the 6 metres gap between the parking provisions would be enough to perform multi point manoeuvre to enable a vehicle to enter and exit the site in the forward gear. This application was granted consent by the LPA.

From inspection of the latest plans this application seeks to retain the existing point of access and relocated the new crossover to the western extent of the plot. Each dwelling would therefore be provided with its own definitive point of access. I would accept that plot 185 would be provided with two parking spaces however a turn on site would be difficult even with a multi-point manoeuvre. Plot 185a would only be provided with one parking space and a turn on site would not be considered possible once a boundary treatment dividing the site has been erected.

I am mindful of our previous highway safety objections with this site concerning insufficient parking provision and lack of a turn on site facility. After inspection of the latest plans I would conclude that this application does not satisfy the reasons for refusal cited under ADC/0448/07 and would not be considered like for like when compared with the solution found and permitted under ADC/0642/07. Based on the information provided, and should the applicant not be able to find an alternative solution, the highways authority would be minded to Object to this proposal.

Further comments:

West Sussex County Council was consulted previously on Highway Matters for this planning application and responded on 16/12/2013. After communication with the Local Planning Authority Planning Officer and a WSCC colleague from Highways Commissioning a site visit was conducted on 08/01/2014. Please find below some additional comments regarding this application which should be read in conjunction with our initial comments dated 16/12/2013.

It would be asked that the applicant supply further information demonstrating how a vehicle would turn on site under the latest amendment, preferably via swept path analysis. It should however be noted that since the 2007 application WSCC has adopted a new parking policy for residential developments which anticipates the demand of a development taking into consideration the location and size of the development/dwellings. The WSCC car parking demand calculator would anticipate that each dwelling would create the demand for at least one vehicular car parking space and having consideration for the sustainable location of the site one space per dwelling would not be considered to give rise to a highway safety issue. In summary the applicant should demonstrate the ability of a vehicle to turn on site for each dwelling whilst also providing at least once space per dwelling.

I would also advise the applicant to consider alternative parking/access arrangements. Has the applicant considered providing a vehicular point of access from Kings Road? An off street parking space should measure 2.4 x 4.8 metres and it would appear from measuring the OS mapping that this would be achievable, and it is noted that 1 Kings Road already has a dropped kerb, an extension south to this access point could provide suitable access. The LPA may however have considerations regarding amenity space and implications towards on street car parking. Kings Road is considered unclassified, therefore a dropped kerb could be installed under permitted development rights, though planning permission for a variation of the permitted scheme (ADC/0642/07) would presumably still be required. In addition, in planning terms there is much less a

requirement for a vehicle to be able to turn on site when accessing a 'D' class road such as Kings Road compared to an A class road such as Brighton Road (A259). There would be no material change in highways terms should the applicant wish to move the existing point of access to the west of the plot to serve 185 Brighton Road and obliterate the existing point of access.

I would ask that the applicant consider the points previously raised on 16/12/2013 and the additional points raised above. I would ask that WSCC be re-consulted on this application once the applicant provides an additional response.

Final comments:

West Sussex County Council was consulted previously on Highway Matters for this planning application and responded on 16/12/2013 & 09/01/2014. The comments below represent the Highways Authority latest advice on this application.

Since our most recent consultation response the applicant had made a statement claiming that the approved access arrangements contained under ADC/0642/07, are in reality unfeasible to implement due to telecommunication cable junction in this location. After consultation with colleagues from WSCC Highway Commissioning this detail has been confirmed. The applicant has also considered providing a point of access for 185a Brighton Road via Kings Road; however this is not an access arrangement that they intend to peruse for various reason. Therefore WSCC can now provide its final comments based on the access arrangements originally proposed under this application, detailed on drawing 932/3/05/B.

In considering this application The Highways Authority has to be mindful of previous highway comments provided for this site including the recommendation for refusal of ADC/0448/07 due to the lack of a turn on site facility. However consideration does also have to be given that the approved access arrangements are in a practical sense unfeasible to implement. A final consideration does also have to be given to the presence of similar existing accesses operating in this location without a turn on site facility. In particular I would draw the Local Planning Authorities attention to 189 Brighton Road Lancing. This site is located approximately 45 metres away from this application site and under planning reference ADC/0241/10 was granted planning consent for a dropped kerb access without a turn on site facility. WSCC was consulted on this application and provided the following advice:

'Whilst WSCC would be concerned about the lack of a turn-on-site onto the District Distributor A259, other similar accesses without turning have operated without a history of accidents. WSCC would therefore advise the LPA that a highway related objection would be difficult to sustain at Appeal.'

I have checked the most recently available verified personal injury accident records and can confirm there are no relevant personal injury accident reports related to vehicles reversing onto Brighton Road in this location or within a reasonable distance of the site.

In summary while the proposed access arrangements would not be considered the ideal solution the applicant and WSCC have both concluded that it is the only feasible solution. Clearly there have been differing views expressed regarding access arrangements along this part of Brighton Road, however on balance taking all the points previously raised into consideration and guidance within Manual for Streets 2 it is my opinion that the proposed access arrangements would be particularly difficult to resist on highway safety ground and therefore No Objection would be raised.

Should the LPA be minded to grant planning consent the vehicle crossover should be constructed under licence to a specification provided by the Community Highways Officer.

Informative - Minor Highway Works
The applicant is advised to contact the Community Highways Officer (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Lancing Parish Council:

Object on the grounds of safety and the possible misuse of the adjacent grass verge for overspill car parking.

Representations

None received

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH5 & AH7

National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

Since the conditions relating to the previous permission were not discharged (although the TAD contribution was paid), the permission has technically lapsed although the works have been carried out. However, there has not been a material change in circumstances since the determination of the last application and therefore it is considered that the principle of development remains acceptable.

Visual amenity

In terms of the works to facilitate the conversion, these are as previously permitted and so are considered to remain acceptable.

The main difference between this and the previous application is that whereas before the existing crossover was to be removed and a shared access created to serve both units, the current application seeks to retain the existing crossover, although it will serve the newly created 185A Brighton Road. and create a new crossover to the west to solely serve 185 Brighton Road.

The extent of hardstanding would be greater than previously envisaged but dispersed across the site frontage rather than centrally located as was previously the case. There are other such crossovers in the vicinity, though, including immediately adjacent to the west and so it is not considered that the revised access arrangement will cause demonstrably affect the visual amenities of the area.

Residential amenity

The western crossover will be nearer to 183 Brighton Road than was previously the case but since that property has own similar crossover, it is not considered that there will be any material impact upon residential amenity further to the original permission.

Accessibility and parking

This is the key issue in respect of the application and has been the subject of some discussion with the County Council as the Highways Authority. The previously approved access arrangements have been confirmed as unfeasible due to a telecommunication cable junction and accordingly an alternative solution has needed to be found. The County Council has concluded: 'In summary while the proposed access arrangements would not be considered the ideal solution the applicant and WSCC have both concluded that it is the only feasible solution...it is my opinion that the proposed access arrangements would be particularly difficult to resist on highway safety ground and therefore No Objection would be raised.'

In light of both the above advice and that contained in full in the consultation section, it is considered that the proposal is acceptable in highways terms.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties or highway safety. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AH7)

Subject to Conditions:-

1. Standard 3 year time limit
2. Permission relates to approved plans
3. Removal of permitted development rights

WSCC Informative

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

Case Officer: Gary Peck Date: 27 January 2014

Authorised by: Date: 27th January 2014.