Development Management - Delegated Officer Report

Application Number: AWDM/0722/23 Recommendation – APPROVE

Site: 18 First Avenue, Lancing, BN15 9QG

Proposal: Vehicular access

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

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

No. 18 First Avenue, Lancing, is positioned on the west side of the road, and is a two storey end of terrace dwelling. There is a gap of approx. 1m between it and its neighbouring property to the south, no. 16. Its front amenity area is totally laid to hardsurface.

First Avenue comprises predominately two storey terraced dwellings, and most of them have already laid their front amenity area to hardsurfacing for the parking of cars, and many have existing vehicular crossovers.

Proposal:

Permission is sought to provide:-

- A vehicular crossover to the property measuring approx. 3.9m in width

Relevant History: None

Representations: None

Consultations:

WSCC Highways:

The proposed plans demonstrate that the vehicular access will be 5.6m in width at the carriageway edge. Visibility splays of 2.4 x 43m in accordance with Manual for Streets (MfS) have not been demonstrated on the proposed plans. However and inspection of WSCC mapping indicates that these splays are achievable in this location, and are maintainable wholly within the public highway.

The proposed hardstanding area does not meet the minimum depth of 4.8m as set out in the WSCC Guidance on Parking at New Developments for a single standard vehicle parking space. Whilst the LHA would not raise any highway safety concerns to the depth, the applicant should be aware that any vehicle parked overhanging the

public highway (including footway) is illegal and could be dealt with as an offence under Section 22 Road Traffic Act 1988 – (leaving vehicles in a dangerous position on the road including verge), and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway.) Both of these acts are enforceable by Sussex Police. The applicant should also be aware that the VCO would be subject to a licence from the Area Engineer, and must be constructed to a specification agreed with them – as the proposed hardstanding area does not meet minimum depth dimensions, a licence may not be granted, The LPA may wish to consider the implications of approving an application that may not be implementable.

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 NPPF (para 111), and that there are no transport grounds to resist the proposal. However, as above, the LPA should be aware that a licence for the VCO may not be granted by the Area Engineer.

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

1. Car parking to be constructed in accordance with the approved plan.
2. No car parking until VCO has been constructed.

Informative:
1. VCO Licence

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 1, 15, 28
Supplementary Planning Guidance comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework 2021

Planning Assessment

Principle:

The proposal comprises the creation of a VCO on a residential property located within the built up area and can be supported in principle. The relevant issues are the highway safety, and visual effects on the amenities of neighbouring residential occupiers and the character and appearance of the surrounding area.

Visual & Residential Amenity:

The majority of properties within First Avenue have VCO's, therefore they are part of the character of the street scene. Therefore, in principle, the creation of a further VCO will be acceptable.

The WSCC Highways Authority, have pointed out that the front depth of the property does not meet the minimum standard of 4.8m and therefore may not be granted a VCO Licence from The Highway Area Engineer.

The consultation response from WSCC HA also states in their conclusion that they do 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 NPPF (para 111), and that there are no transport grounds to resist the proposal.

With regard to planning, the proposal would not be out of character with the street scene, and given that many of the properties within the area, are using their front amenity area for the use of the parking, it would be difficult to resist this application.

For the avoidance of doubt, there is no need for the condition from WSCC requiring the car parking space to be constructed, as the front area of the property has already been bricked over to provide a hardstanding for car parking.

Recommendation:

APPROVE subject to the following condition(s)

1. Approved plans
2. Standard time limit
3. Car parking not to take place until VCO has been constructed etc.

Informative:

1. Approved without amendment
2. VCO Licence

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

Case Officer: Eve Hearsey Date: 4/7/23

Authorised by: Peter Barnett Date: 4 July 2023