Expiry Date - 30/10/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1235/23 Recommendation – APPROVE

Site: 41 Dominion Road Worthing West Sussex BN14 8LA

Proposal: Vehicular access and hardstanding.

Date of site visit: NA – Assessed using Google Street View.

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application property is located within a residential area to the south of Dominion Road, a B-classified road. The property comprises a mid-terraced two-storey house with facing brick elevations and a tiled pitched roof. The property has a moderately sized front garden reflective of others along the terraced row and is set behind a small fence with brick piers. A concrete pathway extends from the east of the front garden to the access door, the remainder of the garden comprises shrubs of varying sizes and other forms of vegetation. A footpath and grass verge separates the property from the road.

The properties belonging to the terraced row enjoy similar sized footprints and plot sizes and are corresponding in alignment. The two adjacent properties No's 39 and 43 Dominion Road have achieved vehicular accesses and hardstanding's to their respective front gardens. This is also evident in the wider street scene of Dominion Road.

The property is not within a conservation area, is not a listed building, and there are no protected trees on site.

Proposal

Permission is sought to install a vehicular access with a dropped kerb of 3m wide onto Dominion Road. The vehicular access would involve intersecting the public highways (pavement and grass verge) before joining the road.

The vehicle hardstanding would comprise of 36sqm block paving with a 6m linear ACO drain to front. There would be a 4.5m x 3.8m (17sqm) tarmac crossover on the highways land between the dropped kerb. A flower bed would extend along the west boundary of the front garden. The brick pier to the west corner would be retained.

Relevant Planning History:

Refusals for a vehicle access and hardstanding at the application property under 07/0084/FULL (decision issued 19.03.2007) and 11/0056/FULL (decision issued 14.06.2011).

Permission granted at the attached property No. 43 to the west for vehicle crossover under 535/87/BC.

Permission granted at the attached property No. 39 to the east for formation of a vehicular access onto a classified road under 02/00915/FULL, decision issued 11 Oct 2002. And for widening of existing vehicle access and associated hard surfacing to frontage under AWDM/0691/20, decision issued 09 Oct 2020.

Similarly at No. 37, initial application granted for the provision of a vehicle access under 90/05167/BR4 (No objection to County Council notification under regulation 4, decision issued 16 Oct 1990), followed by the widening of the existing vehicle access under 94/05201/FULL (decision issued 22 Nov 1994).

Consultations:

WSCC Highways Authority:

Summary and Context:
This application is for the creation of a new vehicular access and hardstanding. The site is located on Dominion Road, a B-classified road subject to a speed restriction of 30 mph.

The LHA is aware of two previous similar applications at this site, WB/07/0084/FULL and WB/11/0056/FULL, both of which were refused on highway grounds. An appeal for WB/07/0084/FULL was also dismissed by an inspector. National Planning Policy and highways technical guidance has changed since this time, with the introduction of the NPPF in 2011 (revised 2018) and Manual for Streets (MfS) in 2007. The LHA has therefore assessed this application based on current policy and guidance.

Content:
The applicant proposes a new 3m wide vehicle crossover (VCO) on Dominion Road. The proposed access works will be subject to a licence obtained through the local Highway Area Office, and constructed to a specification agreed with the local Highway Area Engineer.

From inspection of WSCC mapping, visibility splays in excess of 2.4m x 43m are achievable in both directions at the proposed point of access on to the highway, in accordance with MfS parameters for a 30 mph speed restriction. Whilst it is acknowledged that on-street parking does tend to take place on the south side of the carriageway, 10.7.1 of MfS states that parking in visibility splays in built up areas is quite common, yet it does not appear to create significant problems in practice.

The proposed hardstanding will facilitate one off-street car parking space. On-site turning does not appear achievable, so a car may have to exit the site in a reverse gear. However, this is not anticipated to give rise to an adverse highway safety impact in this location, owing to sufficient visibility either side of the proposed access point. Neighbouring properties operate similar access arrangements with no known highway safety concerns.

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 111), and that there are no transport grounds to resist the proposal.

Representations: None received

Relevant Planning Policies

National Planning Policy Framework (Revised September 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Worthing Local Plan (2023) 2020-2036
SP1 (Presumption in Favour of Sustainable Development)
DM5 (Quality of the Built Environment)

Planning Assessment

There is no objection in principle to extensions and alterations to residential properties within the built-up area, including the creation of a driveway and access. The key considerations for this planning application are the effects on highway safety and the visual and residential amenities of the locality.

Highway safety

The LHA has confirmed that it is satisfied that the proposal would not have an 'unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network'. Therefore, there are no highways grounds to resist the proposal.

The LHA has advised that the applicant needs to obtain a licence through the local Highway Area Office, and the access would need to be constructed to a specification agreed with the local Highway Area Engineer. An informative has been applied to the permission in respect to this.

Visual and Residential Amenity

There are numerous examples of vehicular accesses onto Dominion Road within the immediate and wider surrounding area, namely at the adjacent

properties (No's 39 and 43), along with No. 37 further to the east. As highlighted by the LHA in their consultation response, policy and guidance has evolved since deciding these applications, thus, the previous refusals for a vehicular access hold no weight in the decision of this application. Irrespective of the above, a precedent has clearly been set for vehicular accesses onto Dominion Road along this section and the wider area.

The proposed front access and hardstanding would result in the loss of the aforementioned shrubs and vegetation in the front garden along with the boundary fence and brick piers to the centre and east. The loss of the shrubs and vegetation would result in a less aesthetic viewing of the property, notwithstanding, they do not form part of a TPO nor are they considered to be of any significant merit. Whilst the loss of the shrubs and vegetation would not be compensated by the proposed flower bed, its inclusion is considered to enhance the appearance of the front access and is a welcome addition. In any event, the applicant is urged to retain any existing vegetation where possible in order to enhance the appearance of the property and in the interests of conserving the natural environment. Similarly, the removal of the front boundary would not adversely affect the visual quality of the area by virtue of its neutral influence on the areas character. The applicant agreed to the retention of the brick pier to the shared boundary with No. 43 to the west in the interests of sympathising with the appearance of the existing front boundaries to the terraced row.

The proposal is not uncharacteristic of a vehicular access, especially within this locality; it would not dominate views and would not appear out of keeping in this setting.

Vehicle activity would be consistent with a domestic dwelling as is already evident in the surrounding area. The proposal would have no adverse amenity impacts for neighbours.

Recommendation

APPROVE subject to Conditions:-

1. Approved Plans
2. Standard Time Limit

Informative

1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2 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-for-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-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/

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

Case Officer: Jason Albon Date: 26/10/2023

Authorised by: Jo Morin Date: 27.10.2023