From: **Stephen Cantwell** <stephen.cantwell@adur-worthing.gov.uk>
Date: Wed, 3 Jul 2024 at 16:59
Subject: Re: P1702iv - Worthing Gasworks - Vehicle Crossover Query (reply 3rd July 2024)
To: Megan Smith <MSmith@eceplanning.com>

Dear Megan,

thank you for the plan ...1101-P1 and confirmation that the yellow driveway is within the curtilage on no.83 Park Road.
I note also that the dropped kerb in grey along the access is wider than the driveway but is present only to serve this.

As such I confirm that this would be Permitted Development and would not require the submission of a planning application.

Whilst this response is not a Lawful Development Certificate, I am confident that the same answer would be given if one were applied for.

I trust that this is of assistance to you in making your application to the Highway Authority for their separate Highway Works approval.

Kind regards
Stephen

Stephen Cantwell
Principal Planning Officer (Major Applications), Planning & Development
01903 221274

On Wed, 3 Jul 2024 at 16:08, Megan Smith <MSmith@eceplanning.com> wrote:

Dear Stephen,

I hope you are well.

Just following up on the below discussion, please see the attached plan showing the proposed vehicle crossover.

We consider the attached meets the below requirements of Permitted Development.

☐ A, B or C road? You will require **planning permission**. You must demonstrate that you have appropriate permission from the local planning authority.

☐ D road? You *may* require planning permission. **Written proof** from your District or Borough Council will be needed to show if planning permission is or isn't required.

Based on the above tick box, please can you confirm in writing that you agree that planning permission is not required for the proposed crossover at 83 Park Road, as detailed within the attached?

Happy to discuss.

Thank you

Kind Regards

Megan Smith
Senior Planner

We are very pleased to announce that we have received Planning Approval for 228 dwellings at a key allocation within the centre of Worthing. Click here to read more.

64-68 Brighton Road, Worthing, West Sussex, BN11 2EN
01903 248777
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From: Stephen Cantwell <stephen.cantwell@adur-worthing.gov.uk>
Sent: Thursday, June 13, 2024 12:55 PM
To: Megan Smith <MSmith@eceplanning.com>
Subject: Fwd: P1702iv - Worthing Gasworks - Vehicle Crossover Query(reply)

Hi Megan

this was my reply to Sam.

Kind regards

Stephen

Stephen Cantwell
Principal Planning Officer (Major Applications), Planning & Development
01903 221274

---------- Forwarded message ---------
From: **Stephen Cantwell** <stephen.cantwell@adur-worthing.gov.uk>
Date: Thu, 6 Jun 2024 at 16:31
Subject: Re: P1702iv - Worthing Gasworks - Vehicle Crossover Query
To: Sam Sykes <ssykes@eceplanning.com>

Hi Sam

Park Road is a class D street and this may well be PD; there are a few points to bear in mind in order to be sure.

Firstly, the Part 2, Class B definition below links the formation of a new access to the undertaking of other PD works. Typically this might be the provision of a hard surface in a residential curtilage (Part 1, Class F). Therefore it would be PD if the works are linked with such work within the curtilage.

Your proposal doesn't involve demolition in a conservation area.

There is an overarching point in Article 3 (6), which I've included below. This disallows permitted development if it causes obstruction to highway visibility. I doubt that this would be relevant here, but something to check if there is any associated works to the boundary or means of enclosure.

I hope this is what you needed.

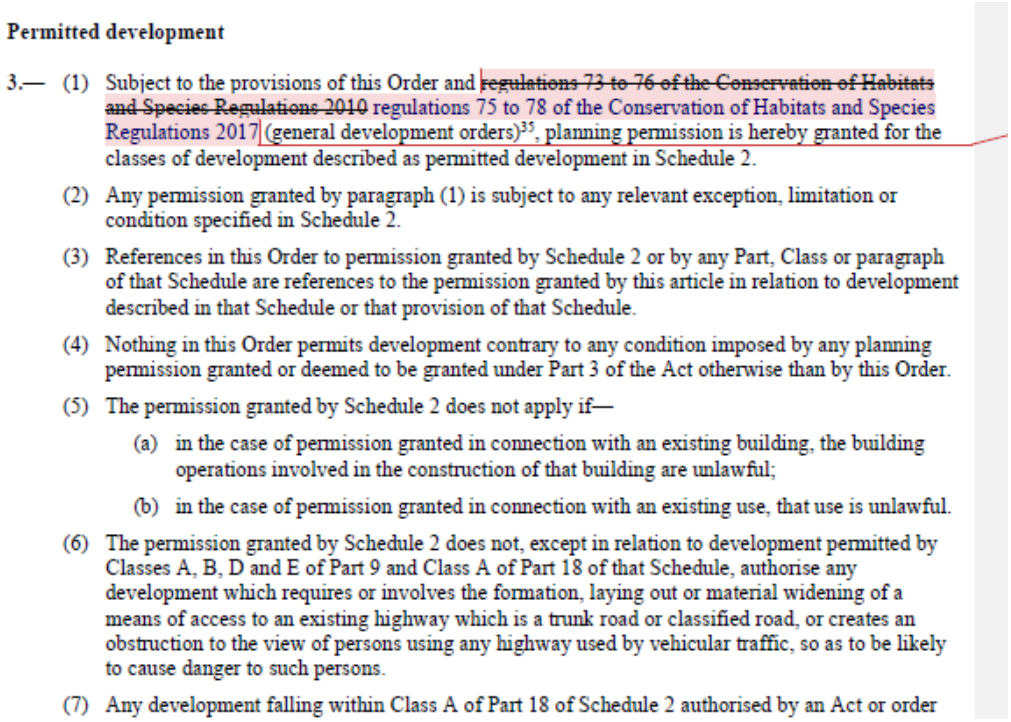
Kind regards

Stephen

Class B – means of access to a highway

Permitted development

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).



Permitted development

3.— (1) Subject to the provisions of this Order and ~~regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010~~ regulations 75 to 78 of the Conservation of Habitats and Species Regulations 2017 (general development orders)[35], planning permission is hereby granted for the classes of development described as permitted development in Schedule 2.

(2) Any permission granted by paragraph (1) is subject to any relevant exception, limitation or condition specified in Schedule 2.

(3) References in this Order to permission granted by Schedule 2 or by any Part, Class or paragraph of that Schedule are references to the permission granted by this article in relation to development described in that Schedule or that provision of that Schedule.

(4) Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 of the Act otherwise than by this Order.

(5) The permission granted by Schedule 2 does not apply if—

(a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;

(b) in the case of permission granted in connection with an existing use, that use is unlawful.

(6) The permission granted by Schedule 2 does not, except in relation to development permitted by Classes A, B, D and E of Part 9 and Class A of Part 18 of that Schedule, authorise any development which requires or involves the formation, laying out or material widening of a means of access to an existing highway which is a trunk road or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.

(7) Any development falling within Class A of Part 18 of Schedule 2 authorised by an Act or order

Stephen Cantwell
Principal Planning Officer (Major Applications), Planning & Development
01903 221274

On Thu, 6 Jun 2024 at 11:33, Sam Sykes <ssykes@eceplanning.com> wrote:

Hi Stephen,

I wondered if you could help with something. The applicant for the Gasworks is seeking to implement a new parking arrangement for 83 Park Road, the house in the southeast corner of the site, as the owners currently use the Gasworks car park for parking their car.

Berkley would like to implement a vehicle crossover from Park Road to the side of their property and they are currently preparing an application to WSCC Highways for this.

Part of the WSCC checklist attached requires confirmation as to whether planning permission is required or not with written proof from Worthing:

- ☐ A, B or C road? You will require **planning permission**. You must demonstrate that you have appropriate permission from the local planning authority.
- ☐ D road? You *may* require planning permission. **Written proof** from your District or Borough Council will be needed to show if planning permission is or isn't required.

Reading Worthing's webpage, it seems that planning permission is not required, as it doesn't fall into any of the categories listed below: Licences issued by West Sussex County Council - Adur & Worthing Councils (adur-worthing.gov.uk)

- Your property is divided into flats
- Your property is in a conservation area and there would be a need to remove a gate, pillar, wall or fence over 1m high
- The dropped kerb is going to be installed on an A, B or C class road (the road is a **D class** road FYI)

How does the Council usually deal with this? Would you be able to provide an email agreeing that permission is not required to enable the applicant to progress with WSCC?

Kind Regards

Sam Sykes MRTPI
Director

ECE Planning

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