Application Number: AWDM/1306/20 Recommendation APPROVE

Site: 102 First Avenue, Lancing, BN15 9QE

Proposal: Formation of vehicular access

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

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The property is a semi-detached two storey dwelling situated on the west side of First Avenue, Lancing, where many properties within the road have existing vehicular accesses.

Proposal

The application seeks permission to gain a 3m wide vehicular access off of First Avenue.

Relevant Planning History: None

Representations: None received

Consultations:

WSCC Highways

Typically bay parking spaces should measure 4.8m as per Manual for Streets guidance. The Local Highways Area Office have the following guidance for parking areas, where they abut a ground floor window or door that can be considered an emergency exit.

Parking areas that abut ground floor accesses, which could be considered to be used in emergencies, are required to be 6m in depth, to allow a vehicle to park and not hinder the access point or overhang the publicly maintainable highway.

The parking space demonstrated within the application is slightly shorter at 5.5m. However, as per para. 109 of the NPPF, a consideration of an objection in highway terms would only be feasible if the residual impacts are seen as severe.

A licence to construct the vehicular crossover (VCO) must be sort from the Local Area Engineer. It should be noted that as part of the licence application process the depth of hardstanding would be assessed and, in this instance, would be contrary to the Area Engineer working practices and thus would not be granted. The LPA may wish to be mindful of this when considering the application.

Any vehicle parked overhanging the footway could be dealt with as an offence under Section 22 Road Traffic Act 1988 – (leaving vehicles in a dangerous position on the road including verges) and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway). Both acts are enforceable by Sussex Police. They are also some links to the Highways Act 1835 (section 32), Town Police Clauses Act 1837 (section 28) and the Road Vehicle (Construction and Use) Regulations 1986 (SI 1986/1038), which have been used successful in proceedings brought about against drivers parking on footways.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the new access is currently operating unsafely.

With all the above considered, the LHA would not anticipate that the proposal would generate a highways safety concern at the proposed access.

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 the NPPF (para 109), and that there are no transport grounds to resist the proposal.

The LHA advises the LPA that if they are mindful to permit the above application than to attach the following conditions and informative.

1. *Access*
2. *Parking*
3. *Informative*

Relevant Planning Policies

Adur Local Plan policies: 1, 15, 36
DM Standard No.2 SPG - Extensions and alterations to dwellings
National Planning Policy Framework (2019)
National Planning Practice Guidance

Planning Assessment

There is no objection in principle to the proposed development to provide a vehicular crossover to the property.

The key concerns would be highway safety issues together with the effect onto the existing neighbouring residential amenities.

Visual Amenity

There are many vehicular crossovers within the street, and thereby the provision of an additional crossover will not be out of character with the street scene in general.

No. 102 has a short front garden, which the LHA say would be inadequate for the parking of a vehicle, however this would be a matter for the Highway Area Office and the Licence required for the works. It should be noted that the immediately adjoining properties at 100, 104 and 106 all have crossovers and hardstandings in their front gardens of a similar depth to that now proposed.

NB: The hard surfacing of the front garden will be carried out as permitted development, under the GDPO Part 1, Class F 'hard surfaces incidental to the enjoyment of a dwelling house', and thereby is not being considered here.

Residential Amenity

There are many vehicular accesses within First Avenue, and the additional access would not have any material impact onto the residential amenities of the neighbouring properties.

Recommendation

APPROVE subject to the following condition(s)

1. Approved plans
2. Standard time limit
3. Access
4. Parking

Informative

1. Approved without amendment
2. VCO Licence

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

Case Officer: Eve Hearsey Date: 09.11.2020

Authorised by: Peter Barnett Date: 9 November 2020