DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: WB/09/0139/FULL – Amberley Court, Mill Road

DATE OF SITE VISIT: 05.03.09

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

SITE AND SURROUNDINGS:

This application relates to the private road/driveway that serves both Arundel Court and Amberley Court and runs along the west side of the flats from Mill Road to down to Lansdowne Road. At present there is one entrance to the flats off of Mill Road and two entrances off of Lansdowne Road.

PROPOSAL:

Planning permission is sought for the erection of two hardwood gates to the north end of the private road. There will be two gates with supporting pillars with a combined width of 5.4 metres. The gates will have a maximum height of 1.195 metres. The gates will be set back 12.8 metres from Mill road and will be positioned level with the second external pillar of No. 53 Mill Road. An open gap of 0.8 metres will be retained on the western side of the gates to allow pedestrian access.

RELEVANT PLANNING HISTORY:

None relevant

RELEVANT PLANNING POLICIES:

West Sussex Structure Plan 2001-2016
DEV1, CH1

Worthing Local Plan 2003
BE1, H16

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

One objection has been received from the occupiers of No. 53 Mill Road and is summarised as follows:

- Increased noise and exhaust pollution as a result of vehicles stopping outside the house to open the gates
- Increased stopping of vehicles causing the road to be blocked
- Increase in people parking outside our windows
- Noise pollution late at night as people stop to open gates or get dropped off by taxi

- People will be forced to drive right next to our house and people opening and closing the gates will be directly outside both our kitchen and our dining room windows.
- Parked or idling vehicles will block out daylight
- lack of turning space for longer vehicles

West Sussex County Council has no objections to the proposal with regard to highways safety, pedestrian access, refuse vehicle access, and fire and rescue service access. The County Council have also confirmed that the private road is not a Public Right of Way.

Worthing Borough Councils **Waste Strategy Manager** has no objections providing that refuse vehicle can still access the site, by means of key access if necessary.

PLANNING ASSESSMENT:

The principal issues raised by this proposal are:

- Its effect on the layout and operation of the estate
- its impact on the amenity of neighbouring residential properties
- its effect on the character and appearance of the area

Effect on the layout and operation of the estate

The applicant has confirmed that the gates will be padlocked and keys will be given to the owners of No. 53 Mill Road (who are allowed access to their garage), the managing agents (Leasehold Management), and 4 residents will hold keys for use by contractors. The residents of Amberley court and Arundel Court will be advised to use the Lansdowne Road entrance. The gates will discourage motorists from taking short cuts through the private road and as a result will increase the safety of the site in accordance with advice given to the applicant from Sussex Police.

There will be ample space for refuse vehicles to enter the site from Mill Road without overhanging the highway and fire and rescue services will be able to cut the exposed padlock should they need to in the case of an emergency.

As such it is considered that the introduction of gates to the northern end of the private road will improve the safety of the site and would not be detrimental to the operation of the estate.

Impact on the amenity of neighbouring residential properties

It is considered that the through flow of vehicular traffic will decrease as a result of the gates. The proposed gates will be locked and only a small number of people will have keys to open the gates. Residents and contractors will be encouraged to use the southern entrance off of Lansdowne Road. Therefore, the proposed gates will lead to a decrease in vehicular movements and associated noise and disturbance along the side of No. 53 Mill Road. It was noted on site that cars and vans currently park directly next to the side

windows of No. 53 Mill Road and the introduction of gates is unlikely to increase the current problems associated with these parked vehicles.

When the gates are opened, people will be within close proximity to the side windows of No. 53, however only a few people will have keys to the gates and they are not likely to be opened on a regular basis. In any case, this is an improvement to the current situation in which anybody can pass by or park outside the windows of that property.

Pedestrian access will remain the same and this situation will not worsen as a result of the gates.

Effect on the character and appearance of the area

The gates are of an acceptable design are not excessively large or prominent and are considered to be compatible with the surrounding area.

In conclusion, the appearance of the gates achieves a reasonable standard of design that is compatible with its surroundings. The proposed gates will reduce the through flow of traffic, thus improving the current situation with regards to neighbouring amenity and pedestrian and road safety, and they would not have a detrimental effect on the operation of the estate. As such, it is considered that the application should be granted conditional approval.

RECOMMENDATION:

Permit subject to conditions (summarised below).

1. Standard time limit
2. Exposed padlock to be used

REASONS FOR RECOMMENDATION:

It is considered that the proposed extension will not significantly harm the living conditions of neighbouring residents, and the extension will not detract from the character and appearance of the property or the wider area. Therefore, it is considered that the proposal is acceptable in light of Saved Policies BE1 and H16 of the Worthing Local Plan 2003 and Saved Policies DEV1 and CH1 of the West Sussex Structure Plan 2001-2016.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

No.

DELEGATED

Case Officer
Sign.....[redacted].....Date 09.04.09

Authorising Officer
Sign.....[redacted].....Date 14.4.09