Expiry 16/3/09

Development Control – Delegated Officer Report

Application Number: ADC/0005/09 **Recommendation – Permit Application**

Site: **57 New Road Shoreham-by-Sea West Sussex BN43 6RB**

Proposal: **Use of embankment on south side of New Road for parking 2 cars (with turf mesh surface, retaining wall and hedge)**

The Application

The site comprises an existing grassed embankment which is currently enclosed by 1 metre high open chain link fencing. To the north of the site is New Road and to the south at a lower ground level is Brighton Road.

The applicant is the owner of the grade II listed, semi detached dwelling to the north 57 New Road. Permission is sought for the use of the existing grassed area as a parking area for two cars. A retaining wall is proposed along the south of the site with a hedge to be planted also. Permission was granted in 2005 for an identical proposal (SU/71/05) however as the permission has not been implemented it has expired and this application seeks a further permission.

Consultations and Representations

Third Parties: - No third party representations have been received.

West Sussex County Council: - The Transport Planning Officer advises that the principle of the development has been accepted. Based on previous information the site is still to be considered as part of the public highway and therefore a Stopping Up Order would be required to remove the existing highway rights and no development should take place without this first being completed. The proposed wall would also have to be approved by the Highway Authority. No TAD contribution is required in this case.

A.D.C.A.G: - No objection

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): DEV1, Dev4-5, CH4, CH5
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB3, AB4, AB11, AB27
PPG13 'Transport' (DTLR 2001)
PPG15 'Planning and the Historic Environment' (DoE 1994)

Planning Assessment

Policies

The site is in the Conservation Area and in the setting of a listed building where there is a statutory duty to have special regard to the desirability of preserving the setting of listed buildings and also to pay special attention to the need to preserve or enhance the character or appearance of the conservation area (as reflected in AB4 and CH4-5).

Policy DEV1, entitled high quality development, states that development should not be permitted unless the construction, layout, scale, appearance and landscaping are of high quality taking into account the need to, amongst other things, integrate with and where possible enhance adjoining land uses and minimise conflicts between land uses and activities; have regard to context including site characteristics, townscape/streetscape, views into and out of the site and building styles/materials; give high priority to pedestrians and reduce dominance of cars; create a high quality socially-inclusive adaptable environment; protect and enhance biodiversity; ensure energy efficiency; and meet the needs of service providers.

Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met; it achieves safe and convenient access by a choice of means of travel; it encourages and enables an increase in walking and cycling; and the number and impact of motorised journeys is minimised. DEV5 states that "Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative".

Visual Amenity and Character

It is not considered that there will be any adverse impact with regards to the impact on the Conservation Area or the grade II listed buildings opposite, to the north of the site. A condition has been attached in relation to details of the hedge proposed and also details of materials, construction and height of the retaining walls to be submitted for approval prior to commencement of works. There is no hardstanding proposed the surface will appear as grass with turf reinforcement mesh details of which have been submitted with the application.

Residential Amenity

There will be no adverse impact on the residential amenities of the occupiers of the surrounding properties. The nearest dwelling is no. 57 opposite the applicant's property. The site is located adjacent to an existing parking area which is also accessed from New Road.

Highway Access and Parking

The Highways Authority has no objection with regards to highway safety issues and advise that a Stopping Up Order would be required in relation to the development. The proposed wall would also need approval from the Highways Authority, the applicant has been advised separately of these requirements. A condition is attached to ensure satisfactory kerb and pavement crossings are constructed prior to the use of the vehicular access.

Recommendation

APPROVE for reason that :-

The proposed construction of parking space for 2 cars (with retaining wall and hedge) would not have a detrimental effect on the setting of the listed building or the character or appearance of the Conservation Area and would assist in reducing on street parking to the benefit of highway safety. It would consequently not conflict with policies AB3, AB4, AB11 of the Adur District Local Plan and DEV1, DEV4-5, CH4 and CH5 of the West Sussex Structure Plan 2001-16.

1. C1Ci
2. C9Ai
3. C7Cii – amended – No development shall take place until details of the construction and height of the retaining walls and a sample of the materials to be used have been submitted to and approved in writing by the Local Planning Authority and the proposed use for parking shall not be commenced until such retaining walls have been erected. Reason: in the interests of amenity and to comply with policy AB4 of the ADLP and CH4 of the WSSP 2001-2016.
4. C11Ai – amended – No development shall take place unless and until there has been submitted to and approved in writing by the LPA details of the type and size of plants for the hedge. All planting comprised in the approved details shall be carried out in the first planting season following the completion of the development and any hedge plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others similar size and species, unless the LPA gives written consent to any variation. Reason: In the interests of visual amenity and to protect the character of the Conservation Area and to comply with AB27 of the ADLP and DEV1 of the WSSP 2001-2016.

Case Officer..... Barber .....Date.....5/3/09.....