Application Number: ADC/0009/09 **Recommendation - Temporary permission**

Site: **Crabtree Service Station, 102 Crabtree Lane Lancing BN15 9PW**

Proposal: **Use of existing south forecourt for car sales (retrospective)**



The Application

The application relates to the south forecourt of this servicing, repair & MOT garage located on the corner of West Lane. It was formerly also a petrol filling station but car sales are now taking place on the forecourt. The latter are unauthorised, hence this application.

Car sales were first noticed in by officers in 2006 but later ceased in February 2007, following letters from the Council. However, they subsequently re-commenced resulting in a complaint in February 2008. The applicant's agent has referred to car sales having taken place from these premises over many years, going back to when it was a petrol filling station, but no evidence has been submitted including regarding the number of cars for sale (nor the necessary application for a certificate of lawfulness).

The plan first submitted showed 10 car display spaces occupying the whole of the south forecourt (to Crabtree Lane) where the petrol pumps were formerly located. However, it has now been amended to 7 car display spaces, with 2 customer parking spaces at the west side. On the east side, accessed from West Lane (where there is a continuous

dropped kerb), 5 customer car parking spaces are shown, leaving an area 13m wide for access to the service bay doors in the workshops.

A previous application for a two-storey extension on the north side of the garage to extend the garage workshops and provide 3 flats above was refused in 2006 (ADC/0207/06) on grounds of overdevelopment, with unsatisfactory standards of residential amenity and inadequate parking. There were objections from WSCC, the Council's EHO and 10 local residents.

Consultations and Representations

West Sussex County Council: From a transport viewpoint, supports the reduction to 7 display spaces and a temporary permission to enable the parking situation to be monitored. Does do not consider the car sales use likely to generate significant additional vehicle movements or significant additional demand for on-street parking space. Comments that the alternative use of the front (south) forecourt for customer car parking, with vehicles reversing onto the carriageway, gives rise to concerns about safety whereas car sales cause fewer movements. With regard to complaints about on-street parking close to the junction, state that this should be reported to the respective body enforcing parking restrictions in Adur as well as to WSCC's Southern Area Highway Engineer who will consider whether there is justification for applying on-street parking restrictions.

Adur District Council: The EHO has no objection.

Lancing Parish Council: To be reported.

Third Parties: 5 letters/email of objection/concern have been received, from the residents of No.37 Crabtree Lane; No.17 West Lane; No.28 Fourth Avenue; a Sompting resident; and the Globe Primary School, on grounds that cars associated with this garage cause highway obstruction and danger, and that these cars (or at least some of them) could be parked on the south forecourt if it were not occupied by cars displayed for sale. The road is very congested and at times very unsafe. Other side roads are used as cut-throughs.

Comment is made that cars being serviced by the garage are parked on the east side of West Lane which, because of its limited width, causes traffic travelling south to have to drive along and pull up on the wrong side of the road at the junction with Crabtree Lane. Staff and customers also park on the verge in Crabtree Lane for long periods of the day, obstructing visibility from the junction. They also park on the pavement in front of the workshops and forecourt, causing obstruction to pedestrians and blocking visibility (although one letter states that at present this problem is not so bad). When cars for sale are valeted, a large mobile valeting van blocks West Lane.

They state that there is greatly increased traffic flow in West Lane since the nearby school was extended (and new houses built), making it gridlocked at times, and an accident will happen before long.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993–2006 (ADC 1996) (saved policies): AG1, AB16

Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development (ODPM 2005)
PPG4 'Industrial and Commercial Development and Small Firms' (DoE1992)
PPG13 'Transport' (DLTR 2001)

Planning Assessment

Policies

The site is not identified for any particular use or development in the Local Plan.

Local Plan policy AG1 states that within the built-up area development will normally be permitted, subject to other policies and to it not detracting from the existing local urban environment. AE16, relating to existing businesses in residential areas, states that alterations or improvements to improve their efficiency will be permitted provided on-site car parking and access arrangements are acceptable under policy AT12 (not 'saved') and there are no significant adverse effects on the amenity of nearby residents.

Structure Plan policy DEV1, entitled high quality development, states that development should not be permitted unless the layout, 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; give high priority to pedestrians and reduce dominance of cars; etc.
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 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.

Residential and visual amenity

Apart from the recreation ground obliquely opposite, the immediate vicinity is entirely residential in character.

The display of cars for sale creates a more overtly commercial appearance and causes a degree of detriment to the streetscene that is undesirable within residential surroundings. Nevertheless, the garage is a long-established feature of the locality and it is not considered that the display of cars for sale causes unacceptable harm to the visual amenities of the locality.

Similarly, in terms of noise and activity associated with the car sales, there is no significant impact.

Highway safety

The adopted West Sussex Parking Standards require, for motor repair garages, a maximum of one parking space per 45sqm for staff plus 3 parking spaces per service bay

(or 25sqm). The existing garage building has a floorspace of approx 170sqm, giving an existing maximum requirement of 11 car parking spaces (4 for staff and 7 for customers).

For car sales establishments, the standard is a maximum of one customer parking space per 30sqm of gross car display area. The display area in this case is 115sqm, giving a maximum requirement for an additional 4 customer car parking spaces. This increases the overall *maximum* requirement from 11 to 15 parking spaces, whereas the original submitted plan showed only 5 spaces.

Whilst policies DEV4-5, in accordance with PPG13, aim to limit the amount of car parking provision to discourage car use, DEV5 also states that development should not be permitted "unless the level of parking is compatible with the need to avoid environmental or safety problems". Therefore, it is a case of achieving an appropriate balance.

By their very nature, garage premises in residential areas often result in complaints about on-street parking and the present case is no exception. The use of the south forecourt entirely for car sales, as currently taking place, leaves only the eastern forecourt for parking and much of that has to be kept clear for access to the service bays in the workshops. There are usually about 5 cars parked on the opposite side of West Lane which, because of its limited width, results in cars travelling south towards the junction having to drive partially on the wrong side of the road. This can obstruct traffic travelling northwards when entering West Lane. West Lane is used by more traffic with the alterations to the nearby school and its new access to West Lane.

Although it seems desirable, in order to avoid on-street congestion, for space to be kept available within the curtilage of the premises for the parking of the cars of customers (both awaiting servicing and collection) and staff, in the instance of this particular case, there is the issue of safety to be considered. This arises from the location of the site on a road junction. As identified by WSCC, the use of the south forecourt mainly for customer parking (instead of car sales) would be likely to result in more traffic movements on and off this part of the site, with cars reversing onto the road on the actual junction.

In response to the concerns raised, the applicant's agent has amended the plan to show 7 car sales display spaces, providing an additional 2 customer spaces on the west side. These would use an existing access to Crabtree Lane and would mean removing the metal barrier erected on that part of the site boundary.
On balance, it is considered that temporary permission should be granted in respect of the application as amended to 7 display spaces, to provide a trial period. This would retain planning control and enable the matter to be re-assessed.

Recommendation
Reason: 4PP (amended)
APPROVE subject to:-

1. C1Di)(Temporary permission expiring 30 April 2010)
2. There shall at no time be more than 7 cars for sale at the premises and they shall be confined to the spaces on the southern forecourt as shown denoted by a 'D' on the revised Block plan (Drg.No.003/jw/Rev a) received on 15 April 2009.
3. The 7 customer parking spaces denoted by a 'C' on the eastern and southern forecourts on the revised Block plan (Drg.No.003/jw/Rev a) received on 15 April 2009 shall be kept available at all times solely for customer parking purposes.

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